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R E M A R K S

ON THE

Nature and Extent of LIBERTY, as compatible
with the Genius of CIVIL SOCIETIES;

On the Principles of GOVERNMENT and the
proper Limits of its Powers in Free States;

And, on the JUSTICE and POLICY of the AME-
RICAN WAR.

OCCASIONED BY

Perusing the OBSERVATIONS of Dr PRICE
on these Subjects.

In a LETTER to a FRIEND.

By
Thomas Blacklock.

Benefacere reipublicae pulchrum est; etiam benedicere haud absurdum.

EDINBURGH:

Printed for W. CREECH; and T. CADELL, London:

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R E M A R K S, &c.

My Dearest Friend,

YOUR last letter, which I received in due time, contains such a number of inquiries; both literary and political, that, despairing of abilities or leisure to answer the whole, my present observations must be confined to one topic. According to your desire, I have obtained, and with the strictest attention perused, *The Observations on the nature of Civil Liberty, on the Principles of Government, and on the Justice and Policy of the War with America, by Richard Price, D. D. F. R. S.* and shall give you my opinion of them; with as much candour as the nature of the subject, and the sensibility of my temper, will admit.

As the principles upon which my sentiments are founded, will likewise be delineated, you may judge for yourself, whether the conclusions drawn from them are fairly deducible or not. It must give every generous mind pain to think, that the author has had so much reason to complain of abuse. In the course of these animadversions, personal reflection shall be avoided with all imaginable care, if the spirit and intention of the performance does not deserve and extort them: But, as the objects of our disquisition are national, it is not proposed, nor can it be incumbent on any writer, to observe the same delicacy in suppressing national strictures. The emotions which public conduct, when reviewed, will naturally inspire; the jealousy of civil liberty, which has kindled our author's zeal to a height, perhaps, more conspicuous than laudible and expedient, may apologize for the freedom with which my opinions and sentiments are delivered. They were originally intended for your own private use; but you are at liberty, either to communicate or suppress them, as you shall think proper. Their publication, indeed, may, perhaps, irritate the voice of censure against me. Parties are ever jealous of their consequence, and ready to disseminate suspicions, which may invalidate or disappoint the efforts of such as oppose them. But these casual impressions neither inspire me with terror nor concern. If ever my name and person should be discovered, it will be obvious to the world, that every motive which impels the mercenary or ambitious to write, must have operated a quite contrary effect upon my mind; and that the only principles which could either engage or animate my present attempts, are justice and benevolence.

Lucrative

Lucrative or honorary premiums may have charms for such authors as are conscious of relish, and capacity to enjoy them. For my own part, were I more contiguous to the channels in which those advantages flow, I should survey them with that indifference, which every man must naturally feel, whose duty and inclination concur to fix his views rather on a death of honour, than a life of pleasure. But these preliminaries have already detained us too long from the contemplation of our author.

Together let us beat this ample field,
 Try what the open, what the covert yield;
 The latent tracts, the giddy heights explore
 Of all who blindly creep, or sightless soar:
 Eye Nature's walks, shoot Folly as it flies,
 And catch the manners living as they rise.

POPE.

I must add, that the task would be endless perpetually to quote the Doctor in his own words. His arguments may often be more concisely stated, with equal force and perspicuity. But, for your own satisfaction, it will be necessary to retain his pamphlet constantly in your eye; that if, in these recapitulations, his meaning should either be injured or perverted, whether from inadvertency or prejudice, you may be able to confront and detect such misrepresentations, by comparing them with the original itself.

The Doctor, in his preliminary observations, informs us, that our American colonies, persuaded, at last, of the intention of Great Britain to deprive them of that liberty, which is the natural and unalienable right of all states and communities, are determined rather to run every hazard, and suffer every calamity, than to lose it. He considers it, therefore, as a question of great importance, to examine whether such a persuasion be reasonable or not. This profound and solemn scrutiny he undertakes with sensible reluctance; as, in performing the severe, but salutary operation, he must be urged by strong feelings to deliver sentiments incompatible with the measures of that government under which he lives, and of which, according to his own declaration, he has always been a constant and zealous partizan. Charity will prompt you to believe, that the Doctor may consistently revere the persons, whilst he disapproves the measures of his governors. Such patriotic paroxysms, as the strong feelings which he mentions, though rarely observed in life, are certainly possible in nature, and might, therefore, necessitate a private and unconnected man to show his detestation of the public procedure in the most conspicuous light, and strongest colours which he could use. But the spirit and tendency of his observations are the only premises from whence you can, with certainty, conclude that loyalty to government, that detach-

ment

ment from party, which he so sanguinely professes. Perhaps you may think it strange, that a constant and zealous well-wisher of government should, at a crisis so important as he thinks the present to be, throw obstacles in its way, which can have no other effect than to retard its motions, and diffuse incendiary maxims, which can have no other tendency but to inflame the rage, or multiply the number of its enemies. It may possibly surprise you no less, that a man so private and unconnected, so absolutely free from the spirit and principles of a faction, should, in all his political views and sentiments, coincide with the minority; but this must be attributed to the invincible force of truth, which is too universal to be concealed, and too conspicuous to be mistaken. This will appear more evident from a nearer prospect of the Doctor's plan. Once for all, however, let me repeat my injunction, that his treatise may be constantly before you when reading this letter; because, otherwise, it will be impossible for you to judge whether his meaning is fairly represented or not; and, consequently, what degree of validity the objections here offered against him can be allowed to possess.

He tells us, that, before the question between us and the Americans can be clearly and ultimately decided, we must form correct ideas of liberty. It is indeed a masterly stroke in the political conduct of our patriots, both at home and abroad, to bring liberty into the question. When the venerable genius, the sacred patroness of our constitution, is threatened with insult or violation, what wonder if every living soul should be fired to madness, in a cause so glorious and interesting! But, from the Doctor's own principles, we hope to show, however strange it may seem, that liberty has not the least concern in the matter.

SECT. I. Since, however, the discussion of British and American affairs, in the Doctor's opinion, so essentially depends upon proper notions of liberty, it naturally becomes his first concern, to explain what he means by this public, this inestimable blessing.

Non fumum ex fulgore, sed ex fumo dare lucem
Cogitat, ut speciosa dehinc miracula promat,
Antiphatem, Scyllamque, et cum Cyclope Charybdis.

HOR.

He does not lavish at a blaze his fire,
Sudden to glare, and in a smoke expire;
But from a cloud of smoke he breaks to light,
And pours his specious miracles to sight;
Antiphates his hideous feast devours,
Charybdis barks, and Polyphemus roars.

FRANCIS.

To

To illustrate his notion of liberty, the Doctor is not contented with one general definition, adapted to every situation in which a voluntary agent may be placed; but considers the attribute of freedom as applicable to each of these situations in particular. This leads him to contemplate liberty as either physical, moral, religious, or political, according to the various views in which a spontaneous and social agent may be regarded.

‘ By physical liberty, he means that principle of spontaneity, or self-determination which constitutes us agents; or which gives us a command over our actions, rendering them properly ours, and not effects of the operation of any foreign cause. Moral liberty, he understands to be the power of following, in all circumstances, our sense of right and wrong; or of acting in conformity to our reflecting and moral principles, without being controuled by any contrary principles. Religious liberty, he defines to be the power of exercising, without molestation, that mode of religion which we think best; or of making the decisions of our own consciences, respecting religious truth, the rule of our conduct, and not any of the decisions of others. In like manner, according to him, civil liberty is the power of a civil society or state to govern itself by its own discretion, or by laws of its own making, without being subject to any foreign discretion, or to the impositions of any extraneous will or power.’

Upon this subject, the reverend politician ardently wishes, if possible, to fix our thoughts, not only as of infinite moment in itself, but as the source from whence those principles are to be drawn, by which he means to convict Great Britain of exorbitant claims, and tyrannical procedure, with respect to her American colonies. But, surely, if he had been sufficiently attentive to the lubricity of that station, from whence he intended to open the campaign, he would have discovered more caution, in deducing all the subsequent modes of liberty from an origin so metaphysical as that which he has selected. He ought to have been aware of the insuperable difficulties, which must occur to every profound inquirer, in his attempts to ascertain the physical freedom of man. Does he not know, that metaphysical writers have affirmed no mechanical powers in nature to be more necessary in their operations than the conduct of man? Has he not read, that sensations of pleasure and pain are continually obtruded on the mind from external objects, which she neither can repel nor change? Has he not been told, that motives result from sensations, by laws no less immutable than the necessity by which sensations result from objects? Has it not been reiterated by all the ancient and modern necessitarians, that the powers of choice and volition are no less infallibly determined by a prepollent motive, than any mechanical balance by a preponderating weight; insomuch, that a being sufficiently acquainted with the series of causes and effects, may, with absolute certainty, determine

termine the conduct of any given human character, in any given circumstances? But of these subterfuges we scorn to take advantage. Religious, moral, and civil liberty, are not words without meaning, but excite clear and definite ideas in the intellect, and correspondent feelings in the heart of man. We therefore meet the Doctor upon his own ground, and with his own weapons. But, as he acquaints us, that what has been formerly premised was particularly intended for the illustration of civil liberty, to that august and important object let us with him direct our views. Civil liberty, then, in his own words 'is the power of a civil society or state to govern itself by its own discretion, or by laws of its own making, without being subject to any foreign discretion, or to the impositions of any extraneous will or power.'

Every civil society is composed of individuals; each of these individuals has distinct powers of volition and discretion within itself. The volition, therefore, of any civil society, must be the aggregate or final result of all the volitions and discretions in its component parts. If, therefore, every particular constituent of the society be as free as possible, the whole society must be free; and, *vice versa*, if the whole community be under any oppression or constraint, all the individuals of which it is composed must be proportionably oppressed and constrained. But, if emergencies should occur, either from the internal oeconomy of any state, or from its connections and negotiations with other states, in which, for want of powers to judge of the matters in question, many of the individuals can neither exercise volition nor discretion, but must of necessity submit to the discretion, and act by the volitions of others, I would gladly ask the Doctor, Whether, according to his analogical reasoning, or subsequent definition of civil liberty, these individuals can be politically free, in any case where it is possible for political and personal freedom to take different directions? The Doctor seems sensible of some inextricable difficulties in the system of political liberty which he proposes; and, therefore, after having insisted, that civil liberty is essentially included in the internal power of a state to govern itself, he prudently resolves that self into a majority. But who, in the name of all those inherent and indefeasible personal rights, with which of late our presses have groaned, and our rostrums have thundered, who invested this arrogant majority with a legitimate power, not only to supersede the volition and discretion of the minority, but to obtrude its own volition and discretion upon them? In such a conjuncture, there must be a manifest violation of personal or physical liberty. For the people, whose opinions and inclinations are thus superseded, must not only remain in tame and passive acquiescence, but frequently act in full opposition to their own sentiments and principles. Still, therefore, I demand, from whence a majority could derive such unbounded pre-eminence? It could not even be conferred

ferred by the consent of those who were to be governed. For liberty, in its most comprehensive meaning, is the indelible charter of our being, the natural and unalienable right of man. But if this right be unalienable, no voluntary resignation can, in any degree, deprive us of its possession. Hence, every individual member of a state must perpetually remain invested with all those powers, which could be claimed or exerted by him, before he was incorporated in that community. He is as effectually empowered to act for himself in a legislative, executive, or sacerdotal capacity, as if those privileges had never been resigned to the state of which he is a constituent. But what if it should happen, that the number of individuals, whose discretions and volitions can have no public operation, for want of powers to judge of the matters in question, or even to act by their native light, upon judgments previously formed, in reality constitute the majority of a state? What if the hand of nature, in the distribution of her gifts, has authorised and established this disparity of powers and faculties? What if the exigencies of every state demand a subordination of offices, and, consequently, an inequality of the talents, whether natural or acquired, which are necessary for discharging them? What if the menial tasks, the laborious and severe manoeuvre of life, should indispensibly require this multiplicity of hands? And what if the Wise Providence of that Beneficent Being, who created and disposed the various parts of the universe, should have intended this difference of qualifications and employments uniformly and universally to subsist? What, then, must be done? We must contract our supreme and all-comprehending majority to a number immensely smaller than that of which it was originally composed. For this our author, heaven bless him, has provided a remedy. He is sensible how difficult it must prove to collect the suffrages of a national majority, when the affair in agitation is of such a nature as to threaten absolute abortion, unless proposed with secrecy, resolved with expedition, and executed with vigour. Such emergencies in the government of states are by no means unfrequent; and whoever reads the history of mankind with attention, will observe numberless instances, in which enterprizes rashly undertaken, unsteadily pursued, or tardily executed, have produced the most sensible disadvantages, and sometimes the utter ruin of the state by which they were adopted. From all this it will plainly appear, that our Utopia cannot consist of a numerical majority. For all the individuals who are conscious of inability, either to determine or to act for the state, without the impulse and direction of superior talents, must transfer their powers to a majority, comprehended or included within the majority specified by Dr Price; and as diversities in the human frame, whether arising from constitution or education; or both, must necessarily occasion differences of opinion, this minor-majority must acquiesce in the sentiments of a majority

still

still inferior to itself. Thus we find, that the powers of deliberation and execution in a state must either be miserably exerted, or confined to a number much less than the majority originally assigned by our author. But how is this inferior majority authorised to perform the offices of government? There appears no method by which it can assume this privilege, unless by violence, by hereditary authority, or by popular election. For, in this promiscuous state of human affairs, the inherent advantages which one man may possess above another, are not sufficient to acquire him that influence which his qualifications may deserve, or the exigencies of the state require. But superior might has no legitimate claim to govern; for, if it had, the ideas of law and liberty would at once be annihilated, and the dictates of brutal force become the only rules of implicit obedience. Neither can such a power be hereditary; for it is by no means a personal property, and, therefore, cannot be mechanically transferred from generation to generation. If *salus populi suprema lex* be esteemed an axiom in politics, (which the gentleman whom I now oppose will not probably dispute), it must inevitably follow, that no person can be invested with power and authority, who is not pre-supposed able and willing to use them for the public good. But, as we have been taught by bitter and repeated experience, that wisdom and virtue do not flow in the current of blood, nor are conveyed in the same manner with names and estates, it is evident, that no hereditary claim to legislative authority can merit the smallest degree of public regard, if the representative be not properly capacitated and qualified to discharge that office, for which he is a candidate. It has indeed been pretended, that men contract habits of obedience to one particular family, which can neither be easily nor quickly reversed. But the common occurrences of life will immediately discover the fallacy of this principle, and show, that the human mind can neither be inured to obedience, nor continued in it, except by the real or supposed merit of their rulers. Hence it appears, that, where no objection can be urged against the heir of a family, his descent, his education, and the example of his ancestors, will influence the people to receive him. But, if he should be found essentially disqualified, either by vice or imbecillity, for the station to which he aspires, he is rejected without scruple. Precedents of this conduct in public life are so frequent, and so obvious, that it would be superfluous to quote them. The only alternative, therefore, left us, by which men can be invested with public authority, is the sanction of public choice. This, we acknowledge, has never been formally disputed by our author. But still we should be curious to know, How it is reconcilable with the natural and unalienable right of personal freedom? He who, in any case, authorises a substitute to judge or act for him, by that deputation virtually resigns the power, or, if you please, the freedom of acting or judging for himself. Thus it appears, that

personal freedom, in particular emergencies, may be resigned. How far this resignation may be carried, the exigences of the state alone can determine. For if, by conscious inability to judge and act for themselves, the members of any state are induced to chuse a representative, who may be better qualified to discharge these offices, How can the persons by whom they were elected, either determine how far that power must be extended, or at what period it ought to be resumed? These, and other public measures of a similar nature, must be projected and ratified by a majority of representatives alone, and can be no longer supposed in the power of their constituents. For, if those by whom they were originally chosen were established in a proper situation, and endowed with proper qualities to limit the exercise and duration of delegated power, it is plain, that they could not have the smallest reason, either from the nature of things, or accidental circumstances, to delegate their power; or, in other words, to chuse representatives at all. It is plain, that the internal oeconomy, or external transactions of any state, must proceed upon general principles. But the laws which general views and principles can only inspire and suggest, must, for the same reason, be general. In every general institution, the particular interests, exigences, and situations of individuals, must frequently be overlooked, and sometimes superseded, in favour of the diffusive advantage which is the object of the general law. Since, therefore, the subjects of deliberation in a state are general, the representatives chosen for particular districts, or by certain bodies of men, ought not to terminate their views and interpositions in the advantage of those bodies by which they are constituted alone; the common-wealth, in its full extent, is their primary object; and the particular accommodation or advantage of those lesser communities, by which they are constituted, only a secondary consideration. Hence it is evident, that, though particular representatives should never loose sight of the interest of their constituents, but rather reconcile and adjust them with the general welfare and prosperity; yet, in reality, they should be more properly considered as the guardians and representatives of the whole state, than of any single proportion of land, or quantity of men contained in it.

From what has been said, it will appear to be neither expedient nor practicable, that constituents should, at pleasure, retract the powers with which their delegates are invested; but there is no medium between retracting the power, and obeying its injunctions. Every government, where there is no dernier resort, must of necessity either dissolve and return to primæval anarchy, or be like motion in a circle, which, by continually returning upon itself with equal pressure, remains in absolute suspense. Now, since there is no case within the limits of wisdom and justice, to which legislative authority cannot extend, and no alternative but obedience left

to subjects, on all such occasions, it is clear, that, in every government, there must be a political omnipotence. No personal right can be more sacred than that of self-possession. For this reason, the Habeas Corpus act is one of the noblest and most inviolable barriers of British liberty. Yet, on more occasions than one, that act has been suspended; and it has been permitted to apprehend the persons of men not only without the due forms of law, but without assigning any cause of suspicion. Such a stretch of power, in the ordinary course of affairs, would have been esteemed equally capricious and tyrannical. But, when the safety of a threatened constitution demanded the temporary abrogation of this law, however sacred, however productive of general security, the suspense of its operation was wise, meritorious, unavoidable. In political, as in commercial navigation, there are undoubtedly rocks, quicksands, and shallows, towards which if the vessel be steered, the mariners have a right, if they can, to stop her course, and call her pilots to account. If any legislature should enact such laws as are subversive of that very constitution from whence it derives its power, it is guilty of political suicide, and its members are severely accountable to public justice. But dangers, which require such violent and general interposition, must be visible to heaven and earth: They must not be exhibited to the public eye by the spirit of faction, the malignity of superstition, or the fascination of interest. Their reality and extent must be universally felt, otherwise resistance is a violation, a daring and execrable violation, of the most sacred ties and essential interests by which society can either be conciliated or united.

It has of late been a favourite topic amongst our pretended patrons of liberty, that rebellion and loyalty are denominated, not by their nature, but by their success. They assert, that the promoters of the glorious and happy revolution, by which the crown was transferred from the lineal heirs of the house of Stewart to the Prince of Orange, had been branded, under the former reign, with the opprobrious title of Rebels, and would still have been regarded as such, if their attempts had proved abortive. It is by no means easy to decide, whether such maxims excite a higher degree of contempt, by their palpable and ridiculous absurdity, or of horror, by their malignant and diabolical tendency. It cannot be denied, that unhappy consequences, through all the annals of human nature, have flowed from civil government; but these are by no means its necessary and genuine effects. On the contrary, it is constituted, by God and nature, the parent of safety, the nurse of virtue, the guardian of property, and of every thing dear or sacred amongst men. Cursed, therefore, beyond the possibility of human execration, cursed is that infamous wretch, who, from malice, wantonness, or lucre, attempts to oppose or retard its legitimate exercise. It must already appear to every unprejudiced eye, that, though power and right are not, as Mr Hobbs would make them, the same thing;

thing ; yet the latter always presupposes the former, nor can possibly subsist without it. It is true, that a person unjustly imprisoned may have a right to be free, because he has a natural capacity of freedom, and is guiltless of every misdemeanor which might render it necessary for society to confine him. It is likewise true, that, prior to every compact or declared choice, all men, who are properly qualified, have a right to judge and act for themselves. But it cannot be admitted, that a lunatic parent has a right, either to the administration of his fortune or family. When the powers of discharging these functions cease, the natural right of exercising them must be absolutely extinguished, though law has found it expedient to suppose the existence and validity of such rights uniformly continued. No man, therefore, can claim by right the exercise of any talent, whether natural or acquired, of which he is not actually possessed. Power or capacity are the natural and indispensable basis of every right ; nor can the one exist without the other. For I beg to know, What is a right, more than the authorised exertion of power, or possession of property ? The diversity of authorities from which rights are derived, may occasion some dispute concerning their nature, their validity, their extent, or their permanency ; but every claim of right necessarily presupposes and implies a power or capacity in the person who assumes any prerogative to enforce or enjoy it. Nor is this all ; for every native right can only belong to its possessor, in proportion as he is qualified to exercise or enjoy it. In all external institutions, it is frequently impracticable, and still more frequently inexpedient, to investigate or ascertain the degrees of power or capacity upon which rights are established ; for this reason, the external rights of individuals, and even of communities, must retain their full validity, without regarding the peculiar circumstances by which the powers of exerting, or capacities of enjoying them, may be circumscribed. But, where such scrutinies are possible and necessary, even the external right will be limited, according to the degrees of power or capacity found in him who is invested with it. If, then, the powers of determination and action, subsisting in individuals, be found unequal to the task of judging and acting for the whole, and, for that reason, be transferred to delegates, whose qualifications are presumed adequate and proper for such a trust ; on the same account, these powers must remain in the same hands where they were originally deposited, till the general voice of the legislature shall prescribe their duration and extent. For, as the safety and advantage of particulars are necessarily included in the security and prosperity of the whole, the plan pursued by government must be consistent, uniform, and permanent. But this end it is impossible to accomplish, whilst individuals imagine themselves at liberty to exercise or resume their rights at pleasure.

We have already found, that the delegates chosen by particular districts or communities, are first to be regarded as concerned for the whole state, and anxious to promote its most extensive interests; so that the local representation to which they have been elected is only a secondary province. It cannot therefore be imagined, that the most inconsiderable member of a free state is without representation in its legislature. For, though a number of individuals may neither be entitled by their internal qualifications, nor their external importance, to have any immediate influence in the choice of a representative, yet the office to which they are elected, extending not only to the whole district, but to the whole state, must interest such members of the legislature for the welfare of every individual, as far as it is compatible with the good and prosperity of the whole. Hence it is evident, that, in a free government, every person is either actually or virtually represented. But, granting that, on particular or critical emergencies, the decisions of a legislature, thus constituted, may be wrong, and even oppressive, How are these errors to be corrected? How are these misfortunes to be redressed? Not by appeals to the great majority of the whole state; for such attempts would be equally impracticable and ineffectual. Not by imposing temporary or occasional restraints upon the legislative or executive powers: For, allowing that any authority subsisted in a state sufficient to impose these restraints, still the remedy would be worse than the disease.

Thus we have found, First, That the natural rights of men, even to personal liberty, are not absolutely inherent or unalienable; otherwise there could be no government. Secondly, That, if individual rights are alienable, such concessions may be made to the state of which we are members, as are either necessary to its subsistence, or productive of its real and permanent utility. Thirdly, That the majority, by which the ultimate decisions and final results of government are projected and ratified, cannot be the great majority in which these powers are invested by Dr Price; but must be confined to a majority of delegates still much inferior in number to that by which they are chosen. Fourthly, That the rights of such delegates are neither to be resumed nor limited, in an arbitrary manner, by the constituents, but must of necessity be extensive and permanent, to produce the order and welfare of the political system. Fifthly, That, in every legitimate government, there must be an *incontrollable* or irresistible power; because, without such a power, the government must either be suspended or dissolved. The difference, therefore, between despotic and free governments, is not, that such a power subsists in the former, but not in the latter; for every government, in its ultimate determinations, must be essentially absolute, and can subsist no longer than its injunctions are implicitly obeyed. But it seems, if such a power must be exerted by every government, our author can make no distinction, whether it should be lodged in one or many hands, except

that the tyranny is more insupportable when exerted by bodies of men, than by one individual. The Doctor, however, forgets, that divided power can never act with the same force as when collected in one hand. He forgets, that the ends of a single tyrant may be more easily accomplished than those of many; because a particular despot will only pursue one end at a time; whereas, amongst many, the measures of state must perpetually be distracted, by the multiplicity of views and interests pursued by each individual, and that, till these can be rendered compatible, the motions of government towards any given point can never be uniform and regular; and, consequently, no tyranny can operate with the same malignity as when invested in one person. Besides, when the affairs of government are transacted by delegates, these representatives are connected in their most essential interests with those by whom they are constituted, and subjected to the same laws which they themselves enact for others. Strange! that a defender of America should forget this view of government; but it was for the interest of his cause rather to omit it here, that it might be afterwards resumed with greater advantage. If the conclusions now deduced should appear extraordinary, or even harsh to those who now are so clamorous, and would gladly seem so distractedly enamoured of liberty, it is hoped they will meet with a more favourable reception from every modest inquirer, when he hears what may be farther said concerning the nature of a state, or a civil society. This is a theme upon which our author has not bestowed one single reflection. Yet he has not drawn any particular inference, in favour of the Americans, from his principles of physical, moral, religious, or civil liberty, which can be pronounced conclusive in the smallest degree, till the idea of a civil society be ascertained, and its nature understood. For if, according to the principles which constitute a civil society, or what the ancients called *Patria*, it shall be found, that America and Great Britain are not different civil societies, but constitute one and the same state, it will be allowed, That no usurpation of supremacy is obtruded upon them by aliens and strangers: That the British empire internally retains the power of governing itself 'by its own discretion, or by laws of its own making; without being subject to any foreign discretion, or to the impositions of any extraneous will or power:' That the Americans, if not actually, are virtually represented in the parliament of Great Britain: That no taxes are extorted from the Americans without their own consent, by measures more violent or unjustifiable than those to which their fellow-subjects in Great Britain willingly and properly submit: That America has no more title to resist the injunctions of the supreme legislature than any county or borough in Great Britain; and that the war proclaimed against the colonies by their mother-country is just, expedient, and political.

Amongst

Amongst political writers, it seems to be too frequently taken for granted, that the idea of a country is generally and thoroughly understood: Yet nothing is more certain, than that few, extremely few, give themselves the trouble to ascertain what they mean by a country, or from whence arise the prepossessions which, in virtuous bosoms, are so naturally, so warmly excited by that tender and sacred name. Ask the generality of mankind what they mean by a country, and you will find, that, though the attachment which they feel is immensely disproportioned to the cause which they discover, yet their speculative notions of a country extend no farther than the soil, the climate, and other sensible phaenomena of the same kind; yet these external and mechanical prepossessions, by a feeling heart, and a cultivated understanding, are esteemed the weakest ties which bind us to our country. For, as the Roman philosopher tells us:

Cari sunt parentes, cari liberi, propinqui, familiares: Sed omnis omnium caritates patria una complexa est: Pro qua quis bonus dubitet mortem oppetere, si ei sit profuturus?

‘How dear to our souls are our parents, how dear our children, our relations, our intimate acquaintance? yet all the tender sentiments with which nature inspires us for each of these, are comprehended and felt at once in the love of our country. Where, then, is the man of virtue who would scruple to sacrifice his life for the advantage of an object so tender and important, if its interest could be promoted by his fall?’ *Cic. de officiis.*

These sublime sentiments are by no means the unintelligible rant, the romantic whims of a philosophical visionary. They are recognized by every uncorrupted heart in every age. Can any one, therefore, imagine that a country is merely local, and comprehends no more than the sensible objects contained within a certain limited space? The geographer and annalist may indeed delineate countries by the rivers, lakes, and mountains which diversify the surface of the globe; but the moral agent considers his country as the sphere of action within which his most important exertions are circumscribed, and his noblest affections concentrated. The biases impressed on his mind by nature and habit, in favour of particular places, though, in some degree, they may be felt and approved, are languid and impotent, when compared with that more exalted ardour, those sublimer and nobler emotions inspired by the society in which he has been formed and educated. Local prepossessions, indeed, are far from being useless; they are the original hints of nature to awaken our tenderness, that, by proper gradations, our affections may be expanded, and conducted to objects more adequate to their capacity, and more worthy of their dignity. But these ligatures are neither sufficient to hold the parts of a political system together, nor to produce those ineffable agitations of soul which arise from the different vicissitudes of a country. You ask me, then, What is a country?

country? or how distinguished from those fortuitous and temporary assemblages of men, which the English denominate *Herds*, and the French *Peuplades*? For there must undoubtedly be some principles of union, by which the one is diversified from the other. It is plain, therefore, that there are such things as national characters. I do not at present enter into the dispute, Whether this general similarity of temper and genius arises from natural and mechanical, or from internal and moral causes. If you wish to carry this research farther, you may consult *L'Esprit des Loix*, liv. 14. chap. 2. and Mr David Hume's *Essay on National Characters*.

To explore the sources of these local diversities, could have no effect in elucidating the present disputes. It suffices, for my purpose, that the fact is universally admitted. We have therefore investigated one principle of union, by which civil societies are preserved from capricious or arbitrary dissolution. Besides, all the members of any state, each according to his different province, are urged by necessity, and influenced by education, to regard public and private security as productive one of the other, and to pursue one common interest, sometimes even at the expence of their own personal advantage; because the sacrifices they make result in the general good, of which they, as individuals, constituent of the general system, may afterwards participate. By their soil, their climate, their insular or continental situation, they are directed what natural productions may be cultivated, or what exotics introduced with success. Hence their employments, whether of fishing, hunting, pastoral occupations, agriculture, or manufactures, are in a great measure common. By the character and genius of the neighbouring states, by their own internal demands, and by their native activity or indolence, their disposition for peace or war, their different kinds of commerce, and their various negotiations, are considerably affected. Hence, their inclinations, their efforts, their habits, are universally diffused. Few of the pleasures or entertainments of life are solitary. Relaxation is absolutely necessary for the preservation of nature; nothing is more contagious than the taste for amusement—Hence their seasons of repose, and the different kinds of recreations which they pursue, are in a great measure uniform. When their intercourse, their laws, and their sentiments, are confirmed by time and habit, while their duration has been sufficient to produce noble actions, or striking vicissitudes recorded in history or commemorated by public monuments, the conduct of their ancestors, the prepossessions and usages transmitted by precept and example, have the most astonishing effect, in producing and consolidating their union. To all these, if we add the ties of blood and nature, the attachments of friendship, vicinity, and acquaintance, the reciprocal obligations arising from an interchange of social offices, the ideas of pleasure or advantage associated with places of common resort, we shall find, that nature and providence

vidence have amply provided for the union, and, consequently, for the subsistence of states. But the most efficacious principle, by which the subsistence and integrity of a country can be preserved, is the common belief of one religion, wise in its institutions, and benevolent in its spirit.

Thus I have enumerated the most powerful and essential causes which form and preserve a country. Other accidental circumstances may co-operate with no small degree of efficacy. As nature, however, through all her works, delights in uniformity amidst variety, and in tempering them so nicely that one may not destroy the other; so we find the same universal law no less conspicuous in her moral, than in her mechanical productions. Hence it is, that the national character, and almost every other principle of union in states, admit of considerable diversities, which, in general, are far from being subversive of the systems where they operate, and, in particular cases, may produce the most salutary and beneficent effects. Thus, besides the staple commodities of the nation, particular districts may produce peculiar articles of traffic, which enlarge the sphere, and diversify the employments of commerce. Thus, even the collisions of religious sectaries, when the principles of division are not essential, and the struggles moderate, may assist in preserving the general warmth and sincerity of devotion. Thus we may see, that minute diversities of characters, opinions, and interests, when limited with discretion, and managed with propriety, are never destructive of a state, but may frequently prove salubrious, and beneficial in their consequences.

That you may not imagine these ideas of national union peculiar to myself, I shall quote you the sentiments of a philosopher, highly respectable for his morals, in which my own will be found either expressed or implied.

‘ Of all human affections, the noblest and most becoming human nature, is that of love to one’s country. This, perhaps, will easily be allowed by all men who have really a country, and are of the number of those who may be called a People, as enjoying the happiness of a real constitution and polity, by which they are free and independent. There are very few such countrymen or freemen so degenerate, as directly to discountenance or condemn this passion of love to their community and national brotherhood. The indirect manner of opposing this principle is the most usual. We hear it commonly as a complaint, that there is little of this love extant in the world. From whence it is hastily concluded, that there is little or nothing of friendly or social affection inherent in our nature, or proper to our species. ’Tis however apparent, that there is scarce a creature of humankind who is not possessed, at least, with some inferior degree or meaner sort of this natural affection to a country.

' 'Tis a wretched aspect of humanity which we figure to our-
 ' selves, when we would endeavour to resolve the very essence and
 ' foundation of this generous passion into a relation to mere clay
 ' and dust, exclusively of any thing sensible, intelligent, or moral.
 ' 'Tis, I must own, on certain relations, or respective proportions,
 ' that all natural affection does in some measure depend. And, in
 ' this view, it cannot, I confess, be denied, that we have each of
 ' us a certain relation to the mere earth itself, the very mould or
 ' surface of that planet, in which, with other animals of various
 ' sorts, we (poor reptiles) were also bred and nourished. But, had
 ' it happened to one of us Britishmen to have been born at sea,
 ' Could we not therefore properly be called Britishmen? Could we
 ' be allowed countrymen of no sort, as having no distinct relation to
 ' any certain soil or region; no original neighbourhood but with the
 ' watery inhabitants and sea-monsters? Surely, if we were of law-
 ' ful parents, lawfully employed, and under the protection of law;
 ' wherever they might be then detained, to whatever colonies sent,
 ' or whithersoever driven by any accident, or in expeditions or ad-
 ' ventures in the public service, or that of mankind, we should still
 ' find we had a home, and country, ready to lay claim to us. We
 ' should be obliged still to consider ourselves as fellow-citizens, and
 ' might be allowed to love our country or nation as honestly and
 ' heartily as the most inland inhabitant or native of the soil. Our
 ' political and social capacity would undoubtedly come in view,
 ' and be acknowledged full as natural and essential in our species,
 ' as the parental and filial kind, which gives rise to what we pecu-
 ' liarly call Natural Affection. Or, supposing that both our birth
 ' and parents had been unknown, and that, in this respect, we
 ' were in a manner younger brothers in society to the rest of man-
 ' kind; yet, from our nature and education, we should surely es-
 ' spouse some country or other, and, joyfully embracing the pro-
 ' tection of magistracy, should of necessity, and by force of nature,
 ' join ourselves to the general society of mankind, and those, in par-
 ' ticular, with whom we have entered into a nearer communication
 ' of benefits, and closer sympathy of affections. It may, therefore,
 ' be esteemed no better than a mean subterfuge of narrow minds,
 ' to assign this natural passion for society and a country to such a
 ' relation as that of a mere *fungus*, or common excrescence, to its
 ' parent-mould, or nursing dunghill? *Shaftesb. Charact. vol. 3.*

Thus, having treated, with as much minuteness and precision,
 concerning the general principles of government, and the nature
 of civil society, as appeared necessary for my purpose, before I come
 to grapple more closely with the Doctor, permit me to make a few
 general observations with respect to Great Britain and America.
 And, *first*, I would gladly know, what nation beneath the canopy of
 heaven retains more conspicuous features of its descent, more ob-
 vious and durable marks of its origin, than America? Have they

not preserved the manners and customs of Britain, even to its provincial dialects? Should an American cross the Atlantic, and land any where upon the continent of Europe, Would he not, unless he chose to correct the mistake, be universally taken for an Englishman? And, on the contrary, should an Englishman travel into those parts, where the Americans are better known than the Britains, Would he be distinguished from an American? Inconsiderable differences there may be, in their complexions and manners, but less observable than those by which people of the same country, in different districts, are discerned one from another. Do not most of the Americans, who boast an ostensible origin, (for some have more than ordinary reasons to avoid the study of heraldry), acknowledge, with pleasure and exultation, their descent from Great Britain? Are not their internal police, and their laws in general, as conformable to those of Great Britain as their situation and circumstances will admit? Were not the powers given to their assemblies and councils intended merely to redress such inconveniences, and to answer such exigences, as the parliament of Great Britain, by reason of its distance, could not supply? Was not the power of negation, deposited in the hands of their native legislature, an obvious and indelible acknowledgment of its supremacy? Have not other positive acts of the same legislature been received in America, with that general acquiescence which, in every political system, is, and must be, interpreted as a legal and plenary consent? Are not their commercial interests intimately, I had almost said inseparably, united with those of Great Britain? Is there any other state in Europe in which they can repose the same degree of confidence, and with which they can form the same coalescence in trade? Is there any other European nation with which they can be so unanimous in their political principles, even when the differences which now subsist between Britain and America are admitted in their full extent? Are not their progenitors, their friends, their acquaintances, still in Great Britain? Are not the general principles of religious establishment the same in both, though the clerical subordination and episcopal hierarchy, by law established in England, have not yet been extended to America? In a word, if the pamphlets which continually issue from their presses, if the addresses and petitions of their congresses, whether provincial or continental, may be regarded as the authenticated sense of the people, Do they not loudly and repeatedly acknowledge themselves our fellow-subjects, our brethren, our countrymen? We grant that such acknowledgments are no more than the occasional and temporary dictates of fear or interest. But, whatever signs of intention may be admitted in private contracts or domestic coalitions, language will ever be the sole interpreter, as it is the only possible medium of political negotiations. By language, therefore, the parties engaging will ever be reckoned strictly and implicitly bound, if treaties impressed with the

the public function imply any obligation at all. Political relations are more permanent, and less fluctuating, than those of nature itself. The Americans, therefore, cannot be our brethren, our fellow-subjects, our countrymen, only when their purses or persons are in danger. These relations are either absolutely chimerical, or must continue to subsist when their circumstances are prosperous and secure. Will any man pretend to affirm, that, when the union was formed between Scotland and England, the same similarity of genius and character, the same coincidence of views and interests, the same conformity of tastes and sentiments, the same analogy of customs and institutions, the same unanimity in religious principles, could be investigated between these two hostile nations? Yet our pacific and benevolent ancestors imagined that such a coalescence might be attended with important and reciprocal advantages. They flattered themselves, that ungrateful names, and invidious distinctions, might be effaced or obliterated, by the endearments and accommodations of mutual intercourse. They were transported with the pleasant anticipation, that, in process of time, the people, like their island, might become one, and every native, instead of recognizing any particular district, might claim the whole of Britain as his country. Nor was this plan chimerical or impracticable: For, though the diversities which characterized the Scots and English were, at that time, more conspicuous, and less reconcilable, than those which now distinguish America from Britain, yet, as those differences were rather the effects of contingency than of nature, it was presumeable that they might at last be forgotten. Scotland, though sunk from the glory, the dignity, the influence of an independent kingdom, to the impotence and obscurity of a despicable province, might at last have acquiesced in her abject destiny, and tamely submitted to oppression, when inflicted without the intolerable aggravation of insult. But how could humanity, politeness, or decency, be expected from a nation inebriated with glory and success, which it neither had qualifications to deserve, nor wisdom to enjoy with moderation? How could it be expected that they would exert virtues and decorums towards others, which were unknown amongst themselves? Their names, indeed, have been adapted and naturalized from foreign languages, and English lexicographers have endeavoured to explain them. But, as it was impossible for these authors to inspire the sentiments which the words were intended to signify, they could only teach their countrymen to associate one articulate sound with another. When a treaty of union had been solemnly ratified by the supreme councils of both nations, it was natural to believe, that the motives from which their mutual concessions proceeded, should have influenced the minds of the people to confirm, by internal amity, the conjunction which civil utility had begun. If the Scots had it in their power, in a state of separation, either to be troublesome enemies, or useful neighbours;

neighbours ; upon these principles, they became objects of consideration to the English. Had that country possessed the magnanimity, the generous enlargement of soul, which, without ever exhibiting it constantly, arrogates the weaknesses and infirmities of a sister kingdom, instead of provoking insult, should have claimed humanity and protection. Which of these conducts the English have pursued, let heaven and earth be judges. In the mean time, it must be confessed, that the least important of those circumstances, by which they were originally disunited, was infinitely more efficacious in continuing and increasing political division, than mere local distance, which is the only characteristic upon which our opponents fix, as the permanent and capital distinction between Great Britain and America. Had we indeed been separated from them by vast tracts of land, and by numerous interposing nations, the distance might then have been an object formidable to us, and the proximity of America to other states might have induced them to form alliances with such people as were more accessible than we. But, whilst we are only intercepted by a safe and navigable ocean, the distance, to every political purpose, is in a great measure annihilated ; and its inconveniences may be entirely removed, by the internal expedient of councils and assemblies, without being productive of national secession. If these positions are, as they must be, allowed by our antagonists, will they not reflect, with shame and confusion of face, upon the impudence and sophistry of their declamations, when they insist, that mere contiguity, or distance of place, can have any essential influence, either in constituting or dividing a country ? But we come now more particularly to examine the force of the Doctor's arguments.

SECT. II. Thus far we have attended to the Doctor's definition of liberty alone, and found it incompatible with the nature of government. It is therefore with good reason that we have recourse to the ideas of an author, more enlightened in the theory of human nature, and, consequently, better acquainted with the principles of government than his Reverence, though he subjoins D. D. F. R. S. to his name. The person I mean is, the Baron de Montesquieu, from whose excellent dissertation on the Spirit of Laws, liv. xi. chap. iii. and iv. I must beg leave to present you with the following profound and rational account of liberty in his own words.

CHAP. III. *Ce que c'est que la Liberté.*

IL est vrai que dans les democraties le peuple paroît faire ce qu'il veut : Mais la liberté politique ne consiste point à faire ce que l'on veut. Dans un état, c'est-à-dire, dans une société où il y a des loix, la liberté ne peut consister qu'à pouvoir faire ce que l'on

‘ l’on doit vouloir, et à n’être point contraint de faire ce que l’on ne doit pas vouloir.

‘ Il faut se mettre dans l’esprit ce que c’est que l’indépendance, et ce que c’est que la liberté. La liberté est le droit de faire tout ce que les loix permettent ; et si un citoyen pouvoit faire ce qu’elles defendent, il n’auroit plus de liberté, parce que les autres auroient tout de même ce pouvoir.

‘ CHAP. IV. *Continuation du meme Sujet.*

‘ LA démocratie et l’aristocratie ne sont point des états libres par leur nature. La liberté politique ne se trouve que dans les gouvernemens modérés ; mais elle n’est pas toujours dans les états modérés. Elle n’y est que lorsqu’on n’abuse pas du pouvoir : Mais c’est une expérience éternelle que tout homme qui a du pouvoir est porté à en abuser ; il va jusqu’à ce qu’il trouve des limites. Qui le diroit ! la vertu même a besoin de limites.

‘ Pour qu’on ne puisse abuser du pouvoir, il faut que par la disposition des choses le pouvoir arrête le pouvoir. Une constitution peut être telle que personne ne sera contraint de faire les choses auxquelles la loix ne l’oblige pas, et à ne point faire celles que la loi lui permet.’

Thus translated. ‘ It is true, that, in a democracy, the people seem to act agreeably to their will : But political liberty does not consist in being able to do what we will. In a state, that is to say, in a society where there are laws, liberty can only consist in being able to do what one’s will ought to determine, and in not being constrained to do what one’s will ought not to determine.

‘ It is necessary to impress on our minds what is independence, and what liberty. Liberty is the right of doing every thing which the law permits : And if a citizen had it in his power to do what it forbids, he would possess liberty no more ; because all the rest of his fellow-citizens would be equally intitled to the same privilege.

‘ Democratic and aristocratic governments are not free by their own nature. Political liberty is not to be found but in governments where these are judiciously blended and tempered : But it subsists not always even in states which are ruled with moderation. In such it is no longer recognized than whilst men abstain from the abuse of power : But it is a dictate of eternal experience, that every man possessed of power has a propensity to abuse it ; he proceeds still farther and farther, till he perceives the limits of his career. Who would imagine it ! virtue itself is under a necessity of being limited.

‘ That

‘ That no person may be able to abuse his power, it is necessary that, by the arrangement of the constitution, one power should be a check upon another. A constitution may be such, that no person shall be constrained to do any thing to which the law does not oblige him ; and, at the same time, he may be hindered from doing those things which the law permits.’

It seems, then, that the definitions of liberty formerly received, are not so exceptionable as Dr Price may think them. Nay, it appears to me indisputable, that, though all the particular, occasional, and temporary volitions of all the individuals which compose a state could be collected and digested, yet, till they are promulgated by public authority, till they are armed with proper sanctions, and impressed with genuine signatures of authenticity, they have neither right nor force to command obedience. But when the volitions of any majority, properly constituted, are published, and confirmed by legislative authority, from that period they become laws. Independent of social obligations, every man is at liberty to regulate his personal affairs, by the determination of his own will, in the last resort. These volitions are laws to him ; but can be such to no one else. Multiply coincident volitions to any number you please, they may become motives to induce our compliance, but never statutes to compel our obedience, till published and authorised by that legislature to which we belong. A free government, therefore, (whatever our author, or others, intoxicated with fanciful ideas of liberty beyond the power of hellebore, may persuade themselves), is a government of laws, not of men. These laws may be suspended or reversed by the same power which gave them existence and sanction ; but this power can never be in the majority of any people, whilst that subordination of talents and employments, originally constituted by nature, subsists. A pure democracy, therefore, where all are equally invested with supreme authority, and all equally subjected to controul, being an oeconomy subversive of itself, and incompatible with the circumstances of human nature, is absurd and impossible. It is not number or situation alone which creates the difficulty of collecting and balancing the suffrages of a people ; it is the absolute incapacity of the many, in every state, to give their voices upon questions in which their spirits have neither been illuminated by nature, nor can be instructed by art. I do not affirm that nature and fortune have always acted in concert, even in a point so tender and important as this. We have learned by frequent and mournful experience, that the most eminent talents, the most extensive powers, precluded from the means of culture in their progress, and of operation in their maturity, have been destined to languish in the deep and perpetual obscurity of private life.

Perhaps in this neglected spot is laid
 Some heart once pregnant with celestial fire;
 Hands, that the rod of empire might have sway'd,
 Or wak'd to extasy the living lyre.

But Knowledge to their eyes her ample page,
 Rich with the spoils of Time; did ne'er unroll;
 Chill Penury repress'd their noble rage,
 And froze the genial current of the soul.

Full many a gem of purest ray serene,
 The dark unfathom'd caves of Ocean bear;
 Full many a flow'r is born to blush unseen,
 And waste its sweetness on the desert air.

Gray's Elegy in a Country Church-yard.

But, though we lament catastrophies of this kind, when they are discovered, we cannot admit that their number bears any proportion to a majority, nor allow such facts, however deplorable, to have any influence in estimating the powers of the multitude in any state. It remains, therefore, an indubitable maxim, that the uncultivated vulgar, whose original powers, and mechanical employments, render them as little susceptible of political ideas and speculations, as of mathematics, or any other abstract science, can have no power, and, from what has been formerly said, can have no inherent right, either to will or judge for the state, but by delegation; and some of them only possess that right in consequence of the inexpediency which is ever found in detecting their want of qualities, by which alone it can be claimed.

Power, then, though constituted for the public good, though no more than the powers of the many collectively exerted, and properly directed to public order and happiness, as its ultimate end, can never be the creature of the people in general: For no being, or aggregate of beings, can possibly bestow or transfer what they do not possess. If, then, personal liberty be to act according to the determinations of a man's own will, and political freedom a conduct, not inspired by these determinations as they really are, but as they ought to be; it follows, that personal and civil liberty may take different directions, and that licentiousness, being a violation offered by personal freedom to civil liberty, is therefore liberty in excess. But would Dr Price, in reality, persuade us, that power is the creature of the people? I thought Christianity had instructed us better. I thought it taught us to derive the origin of legislative authority from God alone, as its genuine and primæval source, and that power is no less a trust deposited by God in the hands of the people for their own happiness, than by the people in the hands of their delegates. This truth, indeed, will appear demonstrably evident to every one,

who

who admits the existence and superintendency of an infinitely good, wise, and powerful Being; for such an administration must either remain inflexibly neuter, in all the vicissitudes of human affairs, or be peculiarly concerned in the conduct of states and empires. If this is true, the people are more strictly accountable to God for their choice, allowing them to be capable of chusing from rational motives, than their delegates can possibly be to them for the most flagrant acts of mal-administration. From hence it is evident, that whoever rebels against the legitimate ordinations of civil government, rebels against God himself: Nor would the same execrable impiety forbear to violate the order of eternal and universal monarchy, if not restrained by the impossibility of success, and the horror of punishment. Evident as these principles may be, from the nature of God; and the constitution of man, they derive additional force and lustre from the Christian dispensation. To one who believes the authenticity of revealed religion, the question is irreversibly decided by the annunciations of eternal and immutable veracity. For tho' the scriptures do not inform us, that the persons and minds of men can be absolutely appropriated by any individual of the species, tho' they by no means authorise the tyrant in acts of cruelty and despotism; though they never taught, that kingdoms, like goods and chattles, were transferrable, by hereditary right, from generation to generation; yet they solemnly and indispenibly enjoin us, to obey the lawful mandates of powers lawfully constituted. They assure us, not only that government in general, but that particular forms and offices of government, are ordained by God.

' Let every soul be subject unto the higher powers. For there is no power but of God: The powers that be are ordained of God. —Whosoever, therefore, resisteth the power, resisteth the ordinance of God: And they that resist shall receive to themselves damnation.—For rulers are not a terror to good works, but to the evil. Wilt thou then be afraid of the power? Do that which is good, and thou shalt have praise of the same. For he is the minister of God to thee for good. But if thou do that which is evil, be afraid; for he beareth not the sword in vain: For he is the minister of God, a revenger to execute wrath upon him that doth evil. Wherefore ye must needs be subject, not only for wrath, but also for conscience sake.—For, for this cause pay ye tribute also; for they are God's ministers, attending continually upon this very thing. —Render, therefore, to all their dues: Tribute to whom tribute is due, custom to whom custom, fear to whom fear, honour to whom honour.' *Rom. 13. verses 1. 2. 3. 4. 5. 6. 7.*

If, then, there be no power but of God; if the powers that be are ordained of him, How is power the creature of the people? How does it originate with them? And how are they entrusted with its supreme direction? It is owned, that God may make the people his instruments in the distribution of power; but it is nei-

ther originally created, nor ultimately directed by their choice, no more than the channels through which a fountain flows can be called its source. They are indeed vehicles of passage, and lines of direction, but have no influence in producing the waters which they convey, and are no more than merely instrumental in facilitating the bias which the stream pursues.

It will not be easy to judge, whether an ingenuous mind feels greater shame or sorrow, when under the necessity of confronting a Christian and a clergyman with a portion of scripture so clearly subversive of his political axiom. If he knew no better, Why did he betray his ignorance? If he was apprized of this passage, and its meaning, Why does he not renounce his character and function? He tells us, that the distinction between licentiousness and despotism, is no more than this, that, in one case, the persons and properties of men are in danger from an arbitrary tyrant, and, in the other, from a lawless mob. One should have imagined, that the Doctor might have treated the people with more profound respect than to call them a *Mob*. Rousseau should have taught him better manners. That eloquent, but singular author, seems to insinuate, that it is impious to inflict the appellation of a mob upon any collection of human beings, without reflecting of what materials it is composed.

If the gentlemen who talk so highly of a majority, and so contemptibly of a mob, would be consistent with themselves, they ought certainly to follow Rousseau's advice. To me there appears no difference, previous to every political convention, whether tacit or expressed, between what, at one time, they call a *People*, and at another, a *Lawless Mob*. In effect, that very multifarious idol, which, in one form or arrangement, they devoutly adore, is the *bellua multorum capitum*, which, in another, they seem to hate or despise. Yet here it is, according to Dr Price, that political omnipotence must be lodged, if there be such an uncontrollable power in government. Hail then! hail then! thrice hail, Almighty Mob! I imbibe thy fury; I feel thy impetuosity; I reverence thy hoarse and various clamour. But, amidst the diversity and inconsistency of thy decrees, Which must I obey? Whither shall my efforts be directed? What revolution is it thy august pleasure to accomplish? Must thy magistrates and enemies be butchered? Must courts of justice be reduced to ashes? Must palaces and temples be plundered and demolished? These are the general occupations of the mob, and this the glorious animation which prevails amongst them. If Dr Price feels so much charity, if he is so favourably pre-occupied for a spirit of rapine and carnage, he cannot give a more striking testimony of his partiality to that humour, than by offering his person as the willing subject of its operation.

Nor is it so manifest as he seems to imagine, that despotism is more dangerous than licentiousness. It must be confessed, that arbitrary

bitrary government, when artfully managed, long protracted, and armed with terror, produces habits of servility in the people, from which it may be difficult, or perhaps impossible, to recover them. But these are accidental, not natural evils. They may be prevented in their formation, or checked in their career. All extremes, however, have a direct tendency each to its opposite. Despotism or licentiousness naturally resolve into anarchy, and the general result of anarchy is despotism. For, in such a situation, the individuals deprived of common protection, and stimulated to madness or despair, by the intollerable evils which they mutually suffer and inflict, have neither capacity and deliberation to select the best form of government, nor to arrange themselves in that order which such a constitution requires. In these circumstances, the readiest means of redress, the simplest political coalition, appears the most eligible; for its immediate advantages are felt, its remoter consequences scarcely foreseen. Thus, with blind precipitation, they plunge into the gulf of servility and arbitrary power. You cannot fail to subscribe, with all your consenting soul, the panegyric of liberty with which our author concludes his second section. But you will likewise reflect, that he might have saved himself the trouble, as the task has been often performed with nobler enthusiasm, and more distinguished abilities, than he has discovered.

SECT. III. Our sage author, after having taught us, that liberty is, in all cases, inseparable from actual volition, and placed the dernier resort of government in those who are incapable to govern, proceeds, with equal wisdom and impartiality, upon the principles of liberty which he had formerly established, 'to examine the authority of one country over another.'

Amongst states, originally disunited and independent, which, in the revolutions of human affairs, have been subjected one to another, by superior force, or other contingences, his reasoning will frequently be found conclusive. But, when the characters, interests, and circumstances of men, however locally distant, conspire to form one civil society, or even render it more eligible to all concerned, that they should be thus embodied, rather than totally disjoined, the Doctor's arguments entirely lose their force, and, by their misapplication, become pernicious and sophistical. Yet, as some of them may be specious and popular, they may claim a degree of attention, which, by their intrinsic force, as adapted to the state of affairs between Britain and America, they never could deserve.

It seems, then, according to the Doctor, that the only bond of civil union, is a just and adequate representation. By a just representation, he must understand such a one as is constituted by popular election; otherwise his inseparable conjunction between liberty and volition must be violated. By an adequate representation, he must mean

mean such a one as, in its number and qualifications, is proportioned to the importance and extent of the bodies which it represents. But, in Great Britain, and perhaps in every free state, not above one-third of the people are represented by delegates of their own election. The immediate constituents of these delegates, according to our author's notions of liberty, are free, because the representative chosen by them is the real or supposed organ of their volitions. But in every instance, however minute, where the representative deviates from the will of his electors, the physical or personal freedom, even of the constituents themselves, is destroyed; and the enjoyment of what he calls political liberty, can no more be a compensation to individuals for the loss of personal freedom, than favours conferred by one state upon another can be thought an adequate recompence for the loss of political liberty.

In every particular case, therefore, the freedom of individual constituents is as unalienable by them, as political freedom, in general emergencies, by the state. No man, then, is bound to receive the results of deliberation, authenticated by representatives which he himself has chosen, as obligatory laws, unless they coincide with his own particular volitions; and, consequently, no legislation by representatives can have any force to extort the obedience, even of its own constituents, except when it is the vehicle of all the various, occasional, and temporary volitions, which are formed at the same time by every individual, from whose choice it derives its authority and sanction. But, if the freedom of those who constitute such a representation, be a thing so subtle and precarious, what must we think of theirs who have no voice in electing a representative; since neither the men employed in government, nor the measures pursued by it, have the sanction of their choice. How, upon our author's principles, can they be free? Yet surely he must admit, that, when the British constitution was in its purity, those who were entitled to give their suffrages for members of parliament, did not amount to above one-third of the people; the other two, therefore, must be slaves. For it has been formerly remarked, and must again be repeated, that local distance or contiguity is nothing to the question.

Unless, then, it be found, that the political compact equally subsists through all ranks of the state, and that, by its means, those who are not actually, must be virtually represented, What difference can it make, whether the people inhabit a region divided by sensible boundaries, or quite uniform; whether they inhabit a region known by the same or different names? If the actual and personal choice of the people be the only criterion between liberty and servitude, those who are not permitted to interfere in such elections must be slaves, to whatever country they belong, and under whatever constitution they live. Perhaps our sanguine votaries of boundless liberty, may think the sense of the people sufficiently expressed

pressed by the shouts that tear the concave, and the caps that intercept the light of heaven, during the ferment of electioneering. But one may venture to pronounce, that a proper quantity of wine, punch, or strong beer, liberally distributed, will engage this venerable majority to exclaim, with the highest patriotic enthusiasm, Beelzebub for ever, huzza! Nor is this the character of any particular multitude, in any particular period or situation; for every mob, at every time, and in every place, is the same.

Still the Doctor's observations presuppose the absolute dominion of one state over another, not the legitimate rule which a mother-country exercises over her colonies. Nothing, indeed, can be more analogous to the natural relation between a parent and a child, than the political relation between a country and its colonies. To the latter, from their infancy to their maturity, through every period of their progress, the tuition, the protection, the beneficence of the former is necessary. And as, during the minority of children, parents have a right to the product of their labours, which, however, decreases, as the offspring rises to the capacity of independence, and the powers of self-government: Thus a parent-state has a right to demand from its colonies all the returns which they can properly make, for her maternal care and liberality, till the same crisis of their political existence arrive.

When the Doctor observes, that the slavery of one state subjected to another is worse, on several accounts, than any slavery of private men to one another, or of kingdoms to despots within themselves, he seems to have mistaken the policy of states inured to conquest and domination. They know better things than to govern their subjects, or, if you please, their vassals, by the same legislature with themselves. No; they rule them with delegated sway. They prudently deposit the power in one hand, that its force may be exerted in one direction, and produce the accomplishment of one end. Did the Roman people govern their distant provinces by the same senate, the same consuls, the same tribunes, to whom the administration of the city was entrusted? On the contrary, they sent governors, who were accountable to them for tyrannical exactions, or other misdemeanors of which they might be culpable. Thus, 'the infamy was not shared by a number,' but fell with all its weight upon one devoted head.

It were to be wished, for the honour of human nature, that the fellow-feelings, supposed by our author to subsist between private men and their slaves, were more conspicuous and beneficent in its effects. But, surely, these sympathetic ideas were not deduced from the conduct of American planters towards their negroes.

These humane masters continually exhibit, to the view of God and man, such spectacles of pain and horror as are sufficient to dissolve heaven in tears, and fill earth with amazement. Yet, not contented with exercising all the powers of inventive cruelty upon the

the living and passive subjects of their malice and caprice, they apologize for such acts of atrocity as the devil himself might blush to acknowledge, by affirming, that, without such discipline, obedience cannot be extorted. God of Justice! Father of Mercy! How long shall thy slumbering vengeance permit such daring crimes to pass with impunity! These are the fellow-feelings for their slaves, which our idolators of liberty beyond the Atlantic at present exert, and have all along exerted. Yet who more clamorous against the shadow of oppression, when presented in distant prospect, by the terrors of a heated imagination, than they?

It is pretended, that laws have been enacted in America, and transmitted to the British parliament, for preventing this execrable traffic, which were rejected in favour of a commerce so lucrative. But, had these philanthropic laws been inspired or dictated by the spirit of the people, what power in earth or hell could force them to purchase those miserable wretches, when imported? The humanity of England has long been highly praised and piously believed, because the immediate view of mournful objects inspires them with a momentary and mechanical pity. But who, that understands human nature, can persuade himself that these generous dispositions, these tender expansions of the soul, are founded upon principle and habit in a nation, where a trade so execrable in itself, and so dishonourable to nature, is practised, not only with impunity, but with approbation?

—————Quid non mortalia pictora cogis
Auri sacra fames—————VIRG.

If you think my expressions of abhorrence too sanguine, let me advise you to consult the *Histoire Philosophique et Politique des Établissements et du Commerce des Européens dans les deux Indes; livre onzième*. The passage, though dictated by the profoundest wisdom, and animated by the most refined humanity, is too long to be recited.

The Doctor imagines, ‘ that an internal despotism may be qualified and limited; but the despotism of one state over another has ‘ no measure in the exercise of power, but its discretion.’ There are, however, limits to its vengeance and rapacity, infinitely more powerful than those of arbitrary will. There is a magic in the voice of interest, which procures it universal audience and respect. It would be not only tyranny but madness, should the rapacity of a state drain the sources from whence alone it can expect the most copious and perennial supplies. It would be blind and implacable fury, even in beings gratuitously wicked, which is not the character of human nature, to exhaust their rage in one effort, which, by gradual exertion, might be indefinitely varied and protracted. No state, therefore, however enamoured of wealth or power, will, by
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one gluttinous repast, devour all the means of future gratification. But, in history, few examples will be found of one state governing another, except by deputation.

What he observes, concerning the difficulty with which one state is emancipated from the tyranny of another, is, in some measure, yet not absolutely nor universally just. It may frequently be more easy to distract the views, and embroil the interests of many tyrants, than to cut off one ; though a single blow, when it can reach him, may prove decisive of his fate. Besides, all power is limited by itself. Governments, insatiable of authority and opulence, awake the jealousy, resentment, and envy of circumjacent kingdoms ; and only rise upon the ruins of their neighbours, to accelerate the date, and augment the weight and lumber of their own. But the internal maladies, produced by superfluity and crudity of nutriment, are still more dangerous and fatal. Overgrown states, like overgrown bodies, as they increase in corpulency and grossness, become more and more obnoxious to perdition, as well by surfeits as by other acute diseases, and grow more cadaverous and abominable, as their appetites are voracious, or their aliment excessive. When, therefore, the lust of conquest or of rule prevails in any state, no more than common penetration is necessary to foresee its impending dissolution.

We are next told, ‘ That no distant country can govern another without a military force :’ And, to illustrate this maxim, a long train of suppositions are introduced, all of which might be realized, and some allowed to be real grievances, if Great Britain and America were proved to be different states ; but, till this be effectuated by more cogent arguments than the Doctor has yet offered, not one of the suppositions, so artfully tagged together, can imply the remotest tendency to usurpation in the British legislature.

Let us, in our turn, suppose, That, in any distant province of the same country, for the immediate redress of particular exigencies, by the tenderness of the legislature, inferior powers were constituted, with conspicuous and permanent impressions of subordination to its own. Suppose that subordination, for a series of years, admitted, and recognized as legal. Suppose this province, by its situation in the frontiers of the kingdom, and by the real or imaginary value of the commodities which it produces, continually exposed to hostile incursions and depredations. Suppose the nation to which it belongs, on that account, reduced to the disagreeable alternative, either of resigning it to her enemies and its own, or of supporting its independence and her own right, at the expence of mighty armaments and inestimable treasures. Suppose, by these interpositions, the province should become populous and wealthy. Suppose it should then refuse every acknowledgment to its benefactors for former favours, and even pretend, that the advantages arising from mutual intercourse were an ample compensation. Suppose the country should then exert its right of supreme controul,

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but afterwards be seduced by the clamours of intestine faction, or the remonstrances of the seditious province, to suspend the efforts of her authority, and only demand a small tax upon certain commodities imported, as a recent and manifest acknowledgment of her sovereign power. Suppose, likewise, that these goods, in the ordinary course of trade, were sent; but, before they could be landed, the inhabitants assembled in a tumultuous manner, and in a fury, compared with which the ordinary exhibitions of riot and felony might be termed peace and order, not only insulted the government, but violated the property of a commercial company, by destroying the merchandize: Was it not high time for such a country to vindicate its profaned authority? Could it be expected, that judges, though nominated by the government, yet paid by the province, and residing in it, would pronounce their sentence with justice and impartiality? Could it be hoped, that juries, connected with the rioters, nay, perhaps personally active in the crime, would give their verdicts against actions which they themselves possibly approved, and delinquents with whom they were allied in the strictest manner? Was it, therefore, contrary to any law, that the legislature should interpose, in such a manner, as might subject the criminals to be tried by persons who had no interest in their condemnation, but the dictates of justice and public spirit? If perpetrations of this kind are innocent and inculpable, it must then be granted, that the measures employed by government were usurpations; but if, on the contrary, every circumstance which can aggravate the danger and turpitude of political enormities is implied in the conduct which we have now described, those who have been guilty of it are rebels and traitors to their Maker, to their brethren of mankind, and to their country, in every sense of the words. Let Dr Price, therefore, determine, whether a country, in endeavouring to regain its original rights, may not be animated by nobler principles than criminal ambition, or unjust resentment.

It is however false, that a province thus justly and publicly stigmatized can be in the same state as Great Britain, ' were our first executive magistrate, our House of Lords, and our Judges, nothing but the instruments of a foreign democratical power; were our juries nominated by that power; or were we liable to be transported to a distant country, to be tried for offences committed here; and restrained from calling any meetings, consulting about any grievances, or associating for any purposes, except when leave should be given us by a Lord-Lieutenant or Viceroy.'

For, let it be remembered, that discriminating circumstances subsist in different countries, which have no influence, or at least ought to have none, in different provinces of the same state. The spirit of laws, the coincidence of characters, principles, and interests which unite the people of one country, may be, and generally are, incompatible with those of another. Hence the reduction

duction of one hostile nation to the laws and government of its conqueror, must produce the total subversion of its religious and civil oeconomy. Hence, every principle of intrinsic motion is entirely annihilated, and new biasses impressed by the conquering state, which are most agreeable to its taste, or conducive to its interest.

Should Great Britain be transported to heaven, of which, however, there seems to be no immediate danger, perhaps our author, in the tenderness of his patriotic zeal, might imagine the liberties of his country extinct, because it would then be under a foreign administration, whose power could not possibly be checked or controlled. But, whenever this distant revolution shall happen, I hope there are few of his Majesty's good subjects who will be disposed to murmur at the change, or complain, that he is not permitted to fulfil the determinations of his own mind.

It has already been observed, that the principles of union, constituent of the same country, may be susceptible of minute discriminations, which neither violate nor destroy the system, if properly regulated. Some of these diversities take place between Great Britain and her colonies.

The islands of America, and its northern provinces, have found it convenient and lucrative to carry on an illicit trade with the rivals and enemies of their mother-country, even in a state of war, whilst they acknowledged the legitimacy and propriety of those acts, which were ratified by the parliament of Britain, relative to navigation and trade. If, then, they were an independent state, their procedure was contrary to the faith of nations; if a subordinate province, it was an infamous infringement of their allegiance to their country.

We know, that fraudulent practices of this kind, by their familiarity, have lost that idea of turpitude and villany with which they ought ever to be attended. But dishonest alienations of the public patrimony, whatever sentiments they may excite, are no less criminal and dishonourable in themselves, but infinitely more pernicious than depredations of private property, which are rewarded with a rope. Will any man, however, affirm, that this collision of interests is sufficiently momentous to constitute the distinction between one country and another; or that the consequence of restraining such unlawful practices is the loss of liberty to those on whom these restraints were imposed? If so, all, or most of the people in England or Scotland, who inhabit the sea-coast, form certainly a country distinct from the rest, because the same views of interest impel them to carry on the same prohibited trade; their liberties, therefore, are effectually annihilated, and the officers of customs and excise are, upon this supposition, the delegates of tyranny, to hold them in eternal servitude, and rob them of their lawful acquisitions.

It was not without indignation of soul, that I read this passage in the Doctor's Observations, which I shall now transcribe verbatim : ' Perhaps,' says he, ' in some cases, under the pretence of the impossibility of gaining an impartial trial where government is resisted, it will ordain, that offenders shall be removed from the province to be tried within its own territories : And it may even go so far, in this kind of policy, as to endeavour to prevent the effects of discontents, by forbidding all meetings and associations of the people, except at such times, and for such particular purposes, as shall be permitted them.'

The whole apology which he offers to the public, for that system of sedition propagated by himself and his party, is founded upon this glaring falsehood, that Britain and America are different states. Hence we are taught to believe the legitimacy of their resistance. Hence their intrigues and cabals, for concerting and maturing plans of mischief and destruction, are charitably softened, by the milder terms of Meetings and Associations. Hence the just convictions of government, that an impartial trial could not possibly be gained, where its lawful mandates were resisted, are impudently called Pretences. To what civil power, for heaven's sake, would the Doctor render British troops amenable? To the provincial councils and assemblies of America, who never could boast a civil power but what was transferred to them from their mother-country? Let the meanest Britain explore his own heart, and try whether he can endure such an idea with patience.

Our author now examines the different rights of government which one state may acquire over another, and resolves them into ' conquest, compact, or obligations conferred.' I should only trifle with your patience, and insult your judgment, were I to pursue him through all these unnecessary disquisitions. Let it suffice to answer, that the relation between different states is by no means the same with the relation between a parent-state and its colonies.

In this case, besides the natural principles of union, which we have formerly mentioned as constituent of a country, the rights of compact and obligation conjoin their force, to render the political coalition firm and durable; and while the obligations are incessantly repeated, and indispensibly necessary for the subsistence and security of those on whom they are conferred, it can neither be just nor expedient to dissolve the compact.

The author's position may be admitted, that, as it is impossible to form a proper estimate of civil liberty, so no remuneration can atone for its loss. But if the colonists resign no more than a free constitution is intitled to exact from the different parts of its territory, How can such concessions be denominated the Loss of Liberty? A rebellious province, indeed, may provoke the supreme legislature to impose such restraints, or inflict such punishments, as are

proper to secure its authority from present dangers, or future injuries. These restraints or punishments may deprive the guilty of personal freedom: But this is a precaution necessary to the general welfare, and an indispensable forfeiture to public justice. Let no man deplore the loss of liberty, who would exert it, if possessed, in working out his own perdition, and that of his fellow-citizens.

The Doctor justly informs us, That it would be trifling to apply his former principles to the government of different states contained in the same empire. But, he adds, that, in the present case, such an application is necessary; which is saying no more, than that, when a man has entered on a course of sophistical reasoning, for a particular purpose, he must bring it to a suitable conclusion. To bring the question to a short issue, let a categorical answer be demanded from our author, Whether the characteristical principles, laws, and manners of Great Britain and America, be not more identical than those of any other states, which are absolutely distinct one from another? Whether the reciprocation of interests, between these two regions, be not more palpable and intimate than can possibly subsist in different countries? And, Whether the interests of either can be partially affected, without being, in some degree, felt by the whole?

When he has answered these queries in the negative, and shown that there is no such union of principles and interests, his arguments may be allowed some efficacy; but, till then, they can only demonstrate the absurdity of a cause which depends upon such feeble and ineffectual resources. The Americans and Britains are not different states, but the same in different situations. Their connections are such as must establish and continue a reciprocation of interests. Their legislatures never were independent one of another. The provincial councils and assemblies derive not only their power, but their existence, from the British legislature.

With a view to remove a natural objection, he asks, Whether this empire ought not to have a sovereign legislature, a controlling power? I have formerly shown, that this is equally essential to every form of government. What inferior communities are to regal, such are kingdoms to imperial states. A senate, therefore, like what he describes page 7. and resumes in the passage which is now the subject of our animadversion, must consist in a representation of states, as the parliament of Great Britain consists in a representation of counties and boroughs. It may be observed of every free government, that, in proportion as its affairs are simplified, they will be more clearly and generally understood. And, in proportion as the people can enter into the public necessities and intentions, when their minds are not distracted by the interpositions of faction, or retarded by the powerful attraction of private interest, compliances will be obtained, and enterprizes undertaken with greater

greater ease and cheerfulness. But, when a government is extensive, when it involves multiform and subordinate jurisdictions, its rights, in many cases, become inscrutable, its powers indefinite, and its affairs complex and intricate. In all governments, the welfare of the whole is effectuated and continued by partial and temporary sacrifices of private interest, to permanent and general advantage.

These concessions are as necessary to be made by the states which constitute an empire, as by the communities which form a kingdom. Hence we may easily conceive, in general, what is meant by the private concerns of states, and what by the common concerns of the empire. But it will not be so easy to find an infallible criterion, an obvious barrier, by which, in every particular instance, they may be distinguished one from the other. Whilst, therefore, they continue so intimately united, as, in many cases, to be inextricable, the legislation of no particular state can be entirely independent, but must, on many occasions, be overruled by the decrees of that senate, whose common concern is the general prosperity of the empire. So far, therefore, as any particular government is controlled, it must be subordinate; and, so far as the decrees of the delegates are recognized and fulfilled, the sovereignty of the senate is acknowledged. But, should the senate finally disagree in their opinions, or should the results of their deliberation be disavowed and resisted by the states, the union of the government is destroyed, and a posture of affairs, analogous to anarchy in kingdoms, takes place.

PART II. We are now arrived at the second part of our observations, in which the author asserts, that, from one leading principle, he has deduced a number of consequences, that seem to him incapable of being disputed. How far his opinion is right, let your own reflection and knowledge, let the strictures upon that part of the work which has already been reviewed, determine your judgment.

We are next informed, that it was his intention to apply all the arguments formerly urged to the question between Great Britain and America. This we might have discovered without the assistance of an oracle. But, to remove national prejudices, and reconcile us to the important conclusions which he intends to draw from this application of his principles, we are liberally favoured with preliminary reflections, which you may read at your leisure, without my attendance. For, when examined, they do not appear of sufficient importance, either to enlighten your doubts, or to increase your entertainment.

America may, perhaps, be regarded by the English as subjected to the individuals of that nation; but, in Scotland, no such arrogant pretences are indulged. We never esteemed them less than ourselves; we always thought them, like ourselves, accountable to the British legislature, but never to any Britain, nor to any other

power under heaven. If the Doctor's countrymen entertain the sentiments with which he charges them, it will be difficult to judge, whether their ignorance is more the object of ridicule, or their ambition, of contempt.

It is, however, no favourable omen for the Doctor, that history, precedents, statutory laws, and arguments drawn from charters, are thought improper mediums for the trial of his cause. Humanity, reason, and justice in public transactions, whatever the author may imagine, have frequently been of sufficient importance to impress upon history, laws, and precedents, a sanction too venerable to be rejected, without reflecting dishonour upon those who appeal to different tribunals. But it seems the origin and increase of our American colonies are new. Is this a reason sufficient to invalidate the judgment formed, and to confront the transactions approved of by our ancestors? If history contains no events exactly similar to the rise and progress of America, Must we likewise imagine that it contains none which are analogous; and, in such cases, may not the sense of nations, as far as the analogy can justly be carried, have sufficient weight with us to determine our opinions, and regulate our conduct? Must we abandon the tracts of political experience, the maturest counsels of statesmen and sages, for the false and chimerical ideas of a liberty which never did, nor ever can possess any existence, but in the brain of fanaticism, or the bombastic ebullitions of a factious imagination.

The author is justly afraid, that this unhappy controversy must now be decided by other weapons than reasoning. He detests the measures which have brought affairs to this inauspicious crisis; but he forgets from what principles these measures were deduced, with what intention they were adopted, and by whom they were pursued. Though Britain first drew the sword, is she for that reason to be judged the aggressor? Is the man in private life, who, in vindication of his rights, anticipates his foe, and draws his sword for self-defence, guilty of a gratuitous assault? There can be no doubt concerning the views entertained by the people of America for a series of years, tho' they have been mean enough to deprecate the wrath of Britain, in the endearing characters of Brethren, Countrymen, and Fellow-subjects. Though they have loudly declared it their ultimate wish to be reinstated in the same situation in which they found themselves posterior to the late peace, it has for a long time been no secret, that they indulged the romantic and extravagant project of asserting their own independence by arms; and, had they suffered this design to remain silent and progressive till mature for execution, who knows where it might have issued? But the results of time and fortune were too slow for the impatience of their heroic genius: Destitute of every internal resource, whether for subsistence or defence, they urge their claim to independence in thunder, and vindicate their liberties by measures too arbitrary to be pursued by the most sanguinary despot without blushes and remorse. From
their

their humane and civilized neighbours, having borrowed the laudable arts of fighting in ambuscade, and of enumerating the victims of their valour by the scalps which they produce ; by these means, they exert their benevolence and delicacy upon the persons of their acknowledged brethren, their fellow-subjects, and their countrymen !

Such is the injustice of the war at present carried on by Great Britain against her colonies, and such are the causes for which our author, in the spirit of prediction, pronounces it cursed. Dreadful is the certainty, that, sooner or later, the curse of God must attend an unjust war ; but, on whose devoted head the vials of omnipotent wrath shall descend, let the supreme and equitable arbiter of heaven and earth determine.

Some of these observations may, perhaps, appear to be inspired by innate malignity, or personal resentment. It may be said, that, if such invectives have any public influence at all, they can only be intended to whet the sword, and light the torch for the devastation and perdition of America. But, you, my friend, who know the inmost recesses of my heart, you are amply qualified to vindicate it from such infernal imputations. God, the omnipresent witness and sovereign judge of all, whose intimate inspection detects the most latent purposes and retired emotions of the human soul, can testify for me, that I neither thirst for the blood, nor rejoice in the calamities of America. On the contrary, if I am at all a judge of my own sentiments, I should esteem it my glory, my felicity, to reconcile them to their interest and their duty, by every personal sacrifice in my power. But because, as a man and a Britain, I compassionate the miseries which they have provoked, must I likewise become the abettor of their treasons, the apologist of their crimes ? When the colonies return to a sense of duty and submission, not a British bosom shall glow with warmer wishes than mine to see the sword of justice sheathed, and mercy borne on the swiftest wings of angels, flying to diffuse the heavenly mandate of universal safety and happiness. If the demands of Nemesis must be heard, if it should be absolutely necessary to display the terrors of vindictive power, there are other objects, less remote, on whom the vengeance may descend with greater propriety. Let England tear from her own heart the snakes and vultures which poison its tranquillity, and corrode its happiness. There are domestic heralds of sedition, living and active firebrands of discord, in our very bowels. For them, and not for the infatuated Americans, let the axe be sharpened, and gibbets rise to heaven.

After informing us what is his design, and preparing us to relish it, the Doctor proposes to prosecute it in the following manner.

1. To

1. To inquire what the war with America is, in respect of justice.

2. The principles of the constitution.

3. In respect of policy and humanity.

4. The honour of the kingdom.

And, *lastly*, The probability of succeeding in it.

SECT. I. In the first section of the second part, we are told, that ' the inquiry, whether the war with the colonies is a just war, ' will be best determined by stating the power over them, which ' it is the end of the war to maintain : And this cannot be better ' done, than in the words of an act of parliament, made on purpose to define it.' That act, it is well known, declares, " That " this kingdom has power, and of right ought to have power, to " make laws and statutes to bind the colonies, and people in America, in all cases whatever." " Dreadful power indeed," exclaims our author, with as much astonishment, as if he had suddenly beheld the head of Medusa, and been petrified with horror at the sight. But, is this power in reality so formidable ? has it been so oppressive to the counties and boroughs of Great Britain ? yet these are communities as different one from another, as the colonies from them, if we except such discriminations as are merely local. What then can be meant by all these anticipations of terror, which our benevolence inspires for our friends and countrymen, whilst we forget that we ourselves live beneath the same oppressive rod, whose effects appear so tremendous in America, without feeling its weight ? In short, if the author admits that the colonies are connected with Great Britain by similarity of character, by unanimity in their general principles or national spirit, by political compacts, by mutual obligations, and by reciprocation of interest, he must allow them to constitute the same state ; to be lawfully subjected to the same legislature ; to be virtually represented in the same constitution ; and, consequently, to possess the same degree of freedom with that maternal country, from whence they derive their form, their genius, and their power.

But, if we believe the Doctor, whatever be the limits to which the British legislature shall reduce its claims, if it has any claim at all, its authority must still be boundless and indefinite. Men who think and speak rationally of government, must indeed acknowledge, that, when extraordinary emergencies occur, uncommon expedients become necessary. But, is it for that reason, probable, or even possible, that a legislature should, on every trivial occasion, exert the plenitude of its power, and effectuate by violence those general purposes which the universal conviction of its right and the sense of public utility, are sufficient to accomplish ? Can tyranny be ever eligible to any people for its own sake ? A single despot may flatter himself that his personal security and independence, essen-

tially require the full exercise of his power. He may gratify his own rapacious or sanguinary disposition, because he is neither controlled by others equal to himself in power, nor checked by views extrinsic to his own person and its exigences. But the domination of one people over another, (however extensive its rights), must employ less effectual means, and be circumscribed by narrower limits, unless it should rule, as we have observed above, by delegated sway; and, in this case, a foreign despot may be worse than a domestic tyrant, whose cruelty and avarice may be softened by personal connections, or amicable prepossessions. The exertion of indefinite rights by one people over another can at worst be no more than occasional and temporary, and can only happen, when violent diseases demand violent remedies. Should Britain attempt to free herself from the burden of public debts, by extorting with violence and inhumanity from her colonies such taxes, as are disproportioned to their abilities or resources, in depriving them of the means of commerce, she drains the original fountains from whence her future opulence may flow. Thus, her indigence will not only become insupportable, but hopeless. Are these experiments to be tried, even in the most desperate circumstances, by a people intent upon its safety, and anxious for its credit? As far then, as the wealth and prosperity of Great Britain are dependent upon the wealth and prosperity of her colonies, so secure are the colonies themselves from her exorbitant demands, or oppressive injunctions. This tenor of common security, being founded, not only on political compact, but on the nature of things, must be more permanent and inviolable, than any one which originates merely in statutory laws or temporary charters.

It is acknowledged by our author, that, when the disbursements of America for the common defence were disproportioned to their resources, they were supplied by a parliamentary grant from Great Britain. Why then has she not a right to demand redress for exigences of the same nature, arising from the same causes? But, after all the Doctor's pomp of reasoning, as it terminates in a false principle, it is no more than mountains labouring to bring forth mice. For it is false, that the people of America are subjected to those of Britain, more than the people of Britain to those of America. It is true, that the persons who constitute the British legislature are Britons by birth, by character, by education, and interest. But these circumstances, as I have formerly shown, do not form a greater distinction between Britons and Americans, than between people of different counties in Britain. It is true, that they are not chosen by the voices of the people in America; for which, see the reasons in a pamphlet called *Taxation no Tyranny*. But it is equally true, that they are as much the virtual representatives of America, as of all the people in Great Britain, who are not magistrates, burgesses, or freeholders.

It is true, that the laws made for America in Great Britain cannot so immediately and sensibly affect the persons and interests of those who make them, as these which have force in Britain alone. But, tho' the effects are not so immediate and sensible, they are not less real and important. Should the commerce of America remain in languor or suspense, the British merchant would quickly and delicately feel the diminution of his resources. He would endeavour to prevent bankruptcy, if at all avoidable, by retrenching his expences. These retrenchments must proportionably influence the situations of the farmer and manufacturer. From these the hardship must soon pass to the landed-interest.

Upon those principles, the absurdity of all wanton extortions from America will appear in the most glaring light; and it will be obvious, that the same reasons which constitute the members of parliament representatives of the people in this island who cannot vote, must likewise render their representation of America equally real and legitimate. Both the people, therefore, are subject to the same legislature; but neither one to the other.

Every free constitution is only susceptible of liberty in a given proportion. Such people as are neither qualified to vote nor judge, must be contented with that degree of personal freedom which is adequate to the powers they possess, and the sphere in which they act. Even the contingent circumstances of number and distance have real, but unavoidable effects upon public liberty. Britain, and all her colonies, seem at present in full possession of all the liberties of which they are capable, and, indeed, of more than they deserve, because of more than they know how to use. The Doctor is therefore egregiously mistaken, if he imagines that we offer our own want of liberty, either as a precedent or consolation for the slavery of others. It appears, then, that the supreme legislature is neither, in any peculiar sense, the exclusive legislature of Great Britain, nor of America, but equally of both.

If, therefore, America be absolutely submitted to its discretion, so likewise is Great Britain. If it be self-evident, that the Americans have nothing left which they can call their own, neither have the Britains. In litigations of property, which fall not within the jurisdiction of inferior courts, neither the Americans nor Britains are judges, but the legislature alone. When exigencies of state demand supplies, the bulk of the people in neither of these regions can be thought qualified, either to estimate the quantum, or to investigate the best manner in which it may be levied. The powers, therefore, which are invested in the legislature, both over the Britains and Americans, must be discretionary. But, since we have seen, that the very persons by whom these demands were made, if they should prove extorsive and iniquitous, must, in their own fortunes, more or less immediately suffer from their bad effects; what reason can there be to fear that the latitude of this discretion will

be further extended when applied to America, than when exerted in Great Britain?

All concretes, which take their denomination from their form, lose their existence with their principles of cohesion. Such is the constitution, and such the fate of empires. When the causes of their union are ineffectual to preserve it, the empires are no more, but naturally resolve into their component parts, which, by that solution, are as effectually disjoined as any similar parts through the whole globe can possibly be. According to our author, the union of a state essentially consists in the unity of its legislation. This union in America and Great Britain he denies; and the principles which he substitutes, as the causes or preservatives of such an union, are the same with those political alliances, or commercial treaties, which may subsist between any states, and actually do subsist, without constituting any principle of union among them. What he means by 'a common relation to one supreme executive head,' I am at a loss to determine. One thing is certain, that such a relation must be inconceivably frail and precarious.

The family of Stewart felt the crowns of Scotland and England no extremely eligible possession, till the union of the kingdoms under one legislature reconciled their views and interests. Let us suppose, what might naturally happen, if the councils and assemblies of America were supreme and independent, that some commercial dispute should occur, in the course of negotiations, between this island and the continent. The legislatures, by the supposition, are each of them supreme and independent. Might not each of them expect, from the same executive power, such offices and enterprizes as were incompatible? The royal negative could have no effect in promoting the ends of either nation. The executive magistrate, like a ball suspended between two attractions, equal in force, but opposite in direction, must be incapable of exerting the power with which he was invested. Should he interpose in a secondary manner, and offer his mediation in the dispute, he descends from his executive character, and exchanges it for that of an umpire. Now, I would gladly ask Dr Price, How agreeable he thinks a manoeuvre of this kind to the nature and genius of practical politics? How the supreme magistrate could extricate himself, if the nations remained inflexibly tenacious of their purposes; and whether it is possible that the common relation, in such circumstances, could possibly subsist? But, if the methods of union proposed by our author are not sufficient to preserve the coalition of the British empire, he fairly consigns it to destruction in the name of God. An important sentence should be pronounced with proper solemnity. 'In the name of God,' says he, 'let it want that unity;' that is to say, let it want that principle which alone can constitute an empire.

The word *superiority*, as employed by the Doctor, is extremely ambiguous. The distinction between moral and political superiority is so clear, and so momentous, that they ought never to be confounded in the present question. Wealth, as the parent of luxury, must, without doubt, in the course of time, corrupt and debase any state. But, whilst the constitution subsists in its integrity, nay, if originally potent, for some time after the commencement of its decline, superior property will produce superior power. To prove this, we need neither enter profoundly into the constitution of our nature, nor into the theory of politics; it is plain from common sense and palpable experience. By what supernatural means our author has acquired the art to estimate the knowledge and virtue of countries, I pretend not to determine. But, since neither arithmetic nor algebra can be applied to quantities of this kind, as to sensible objects, we may be tolerably certain, that the mediums must be different which he employed to calculate the national debt. In both, however, he may well be suspected of inaccuracy; because the data upon which he proceeds are neither easy to be ascertained in the one nor the other.

If the reciprocation of kind affections, of tender tasks, and useful offices between ourselves and those to whom we owe our birth, constitute the parental and filial relation; Why should not the same causes produce analogous effects in the political as in the individual system? When colonies are transplanted, the difficulties under which they labour are generally as insuperable, without the assistance of their native country, as those of children without the assistance of their parents. Unacquainted with the nature of the clime and its products; ignorant of the advantages to be improved, or the inconveniencies to be avoided; unskilled in the art, the manner, the season of cultivating and preparing the materials which nature bestows; embroiled in war, or occupied in negotiations with savages; fatigued with clearing lands, or building habitations; the assistance and protection of their maternal state are not only indispensibly necessary to their welfare, but even to their being, till long experience, and repeated instructions, have taught them to investigate and improve the native riches of their new establishment.

These acquisitions are neither quickly nor cheaply to be procured. The gradations of their progress will be slow, as the numbers to be instructed, and the difficulties to be conquered, increase. During this important interim, the necessities of subsistence and defence must be supplied. Inestimable as these favours are, Do they exact no returns from gratitude and justice? If men, thus accumulated with benefits, can, without iniquity, refuse every acknowledgment, Why might not their country, at their original emigration, have abandoned them to all the rigours of their destiny? Why might she not, with absolute indifference, have let them down the

winds of heaven to prey on fortune? It cannot be doubted, but that the crisis of political virility will arrive. When arts are acquired, manufactures established, government fixed, and inhabitants multiplied; in a word, when the colony has wisdom to conduct, property to subsist, and strength to defend itself, then, and not till then, comes the period of its independence; yet even then it ought not to be claimed with temerity. While the political child retains the features, the character, the taste, the manners, and inclinations of its parent; while their general interests are coincident, one would imagine the youthful offspring should be reluctant and timorous, abruptly to shake off a tuition so faithful and tender. It is certainly agreeable to the analogy of nature, and to the voice of reason, that the authority of political, as well as natural parents, should be relaxed, as their offspring rises to maturity; but it is by this very relaxation, too far carried, that the child is grown prematurely stubborn. Had Britain continued to assert her original claim, had she from time to time exercised the powers which it gave her, the prodigal would have been more effectually inured to reasonable compliances, and the voice of his maternal necessities might have been heard with reverence and attention. But now, that these rights have been so long silent and torpid, the unnatural offspring flattered themselves, that such claims were either buried in voluntary oblivion, or forfeited by irreversible prescription. Hence, when at last renewed, desuetude gave them the air of innovation. Men seldom cheerfully listen to demands which lessen the means of their private gratification, or public consequence.

Thus, rather than recognize an authority which appeared forgetful of its own extent, the Americans assumed the spirit, before they had attained the power of resistance. If Dr Price's argument, from this topic, has any force at all, it must presuppose, that the colonies in America have arrived at a state of political maturity: That they are amply capacitated for independence: That they possess every internal resource of subsistence in time of peace, and of defence in war. Yet, can any thing be more visible, than that their prudence is neither ripe for legislation, nor their manufactures capable of supplying their own demands; nor their arsenals provided with military stores sufficient to maintain a war; nor their stock of circulating money and public credit adequate to the exigences of an independent state, embroiled with a powerful and wealthy antagonist.

It were a superfluous and fastidious task, to enumerate the proofs of their indigence and debility in all these respects. One, however, I cannot forbear to mention, because it not only evinces the truth of what has been asserted, but is pregnant with consequences more astonishing and flagitious than words can express. If the Americans are internally sufficient for their own necessities, Why do they imbibe with so much avidity, and propagate with so much exultation, every flying report of promised assistance, from the rivals and enemies of Britain? Why are the banners of France and Spain

ostentatiously displayed in terrific prospect? If auxiliaries like these would be so grateful to America, no longer let her pretend that liberty, sacred liberty, is the present object of her contention, or despotic power of her supreme abhorrence. It, without French assistance, she cannot defend herself against her mother-country, by whose interposition, under what powerful auspices, when abandoned by Britain, shall she secure her independency against the united force of France and its allies? Has she forgot, that the same spirit of universal domination, the same plan of politics which were kindled and projected in the cabinet of Lewis XIV. still prevail? Can they expect to stipulate for liberty with success, in opposition to the spirit and essence of that government whose interpositions were necessary to their rescue? Will that force be sufficient to repel the hostilities of a nation, without whose intervention it must have been annihilated? Let it not be urged, that this is a recent propensity, the effect of a violent and temporary resentment; for, either the politics of America must be contemptibly crude and un concocted, or the consequences of her success against Britain, by any conjunctions with France and Spain, must appear obviously and unavoidably productive of the consequences which have now been specified.

Such is the punishment of political, as well as, natural parricides. This impious brood, who would not only shed the blood and tear the bowels of her that produced them, but invoke her implacable and hereditary foes to share the Cannibal feast, shall become the victims of that sacrilegious rage which they inspired and approved.

‘But the English came from Germany. Does that give the German states a right to tax us?’ This is a most emphatic question. It strikes home. It is decisive of the controversy. Whence have our patriots derived such profound wisdom? It would, however, be natural to imagine, that, in retrospects of this kind, English writers, for the honour of their nation, should be more reserved and delicate. When we see their origin deduced from the Germans, it is not easy to suspend the excursions of a petulant imagination, nor to suppress the suggestions of an officious memory. We cannot forbear to recollect the history of Hengist and Horsa; the reasons for which they were called to Britain; the entertainment which they found; and the manner in which they improved the public hospitality. We have all along acknowledged, that there is a period in political, as well as in natural life, when colonies owe neither tribute nor submission to the legislature of their mother-country. The English are now considerably diversified from the Germans in their characters, their manners, their laws, and their interests. They have been long able to subsist of themselves, without any other assistance or protection from Germany, except such as may be expected from one ally to another. Is this the state of America? Unless our author and his friends can answer this question in the affirmative, their arguments drawn from the conduct of Germany towards England, will prove nothing but the imbecility of such as propose or record them.

We must now, it seems, balance accounts with America; and, for the charge of protection and assistance which has been stated against the continent, we are referred to the 13th page of the observations, where the rights to be acquired by obligations conferred are considered. But though, according to the Doctor, this important article is fully obviated, by the reasoning contained in that passage, he still adds, that the benefits conferred upon the continent, were not on its account, but ours. This he proves from the preamble to an act of parliament. To anticipate the cavils of faction, and the murmurs of ignorance, it is usual for the legislature to introduce its decrees, with an account of their utility or expediency: But, unless the Doctor can show that the reasons assigned in the preamble were the genuine intent, the only motives of the act, his quotation will contribute little to his design. But, whatever motives produced the benefits bestowed on America, the benefits themselves were no less substantial and important; and, from whatever dispositions they flowed, they constitute a civil claim to adequate returns. The Doctor's manner of stating articles is more convenient for his purpose than expressive of his equity. He tells us that, by taking our manufactures at our own price, and by indulging us with the advantages of an exclusive trade, the Americans have considerably assisted in supplying our poor, paying our taxes, and relieving our debts. On this occasion, who can forbear to retort his own argument? If these concessions to Britain were either the necessary results of their constitution and situation, or granted more upon their account than ours, which may be proved even to demonstration; why should these circumstances be enumerated to exaggerate the obligations due by Britain, whilst no deduction is made for more important favours, though they should be granted to flow from motives equally interested? Why are no deductions made in favour of the mother-country? To such miserable shifts must authors be reduced who indiscriminately undertake all the dirty jobs of a party. Our author tells us, in general, that the Americans contributed much to our success in war. But, lest he should be thought too sanguinely to urge the cause of his clients, he modestly avoids all detail. A recapitulation of particulars might have perplexed him. What a beautiful starry night, said a boy to his mother; the mother looked, and could scarcely discern a single star in the whole hemisphere!

‘But, when asked in the character of freemen, the Americans have seldom refused to gratify our demands.’ By the word ‘seldom’, it seems to be insinuated, that they have denied, or wished to deny requisitions of this kind, though their favourite mode of taxation. But, in what character, for heaven’s sake, are they now taxed? If as freemen, why is compliance refused? If as slaves, because not actually represented, how are the Britains, who are in similar circumstances, free?

What-

Whatever Dr Price may think of rights to property in land, when emigrations from the different parts of Europe were fashionable, nothing was more usual among those navigators, when they landed, whether on an island or a continent, which was either entirely vacant, or inhabited by savages, than to give a new name to the place, and to fix a pole in the ground, with an inscription, by which it was appropriated to the country from whence they came. Frivolous and childish as this manner of acquiring rights may appear to us at present, it was then allowed, not only to be proper, but sufficient for that purpose. If the Doctor will take the trouble to peruse what has been said by those who are most profoundly skilled in natural jurisprudence, he will find, that property is originally obtained either by donation, by purchase, by excambion, by labour, or by prior occupation. Rights of the last kind are universally allowed to be valid; and, when confirmed by time and possession, they are not only acknowledged by the law of nature and nations, but recognized and ratified, in the positive institutions almost of every civilized country under heaven. Had feudal tenures been extended to America, and continued in exercise for a succession of centuries, would it not have been thought absurd, after that period, to litigate the rights of the superior? Would not the course of time, the fact of possession, the habits and inclinations of the parties concerned, have been deemed sufficient to establish such a right, independent of any other cause? Continued possession, and confirmed habit, are, even among civilians, allowed to have no inconsiderable force in determining property. If, therefore, Britain acquired a right to her American territories by legal means; if her present claim is corroborated by habit and possession, the present aera is too late to call it in question. It may be urged, that the right of the colonists is founded upon purchase, possession, and habit. Still, however, if the right of the original country be prior, it is more valid, and every subsequent claim derived and subordinate. This, however, is another of the topics in which it might have been wished that the Doctor had entered with more reserve. Were the transactions, by which the original constituents of the colonies purchased lands from the natives, uniformly fair and generous? Were their disbursements always equivalent to their acquisitions? Was their conduct free from violence or artifice? Till these questions can be answered with ingenuity, it may perhaps be proper to treat concerning the rights of individuals in America with caution and diffidence.

It is happy for the Doctor that he ‘lays no stress upon charters, though granted them by an authority which, at the time, was thought competent, and rendered sacred by an acquiescence on our part for more than one century.’ Such charters would have proved but feeble auxiliaries; and he is conscious of their insignificance; not because instruments of public faith, duly and formally
ratified

ratified by all the parties concerned, have no power to render stipulations valid and obligatory; but because they do not contain what he asserts. They do not convey the powers of independent and sovereign legislation, nor promise all the colonies immunity from taxation by external authority. Indeed, it is impossible for a public deed or instrument to convey the supreme power of legislation; for this would be supposing a cause capable of communicating its own full energy to its effect, and of bestowing privileges which it could not by any means, nor in any circumstances, retract. Yet, if the Doctor does not think charters binding, to what purpose, in turbulent seasons, are those loud and frequent appeals to the great paladium of our state, the Magna Charta? This is a number of concessions, extorted by force of arms, from a tyrant, whose soul was as weak as his fortune was desperate. Yet it is extolled as the great bulwark of English liberty.

The fallacy by which our author attempts to elude the force of that argument which proves America to be as effectually represented as the greatest number of people in this island, has been already detected. If a representation must be termed defective, because only extended to such as are capable of choosing representatives, the same argument will conclude every representation defective, where every individual is not personally represented. But institutions, which are as perfect as their nature will admit, and their ends require, can never be pronounced deficient. There can be no doubt, that, if the Americans should, with disinterested views, and in a proper manner, suggest any real and sensible improvement in our constitution, such an overture might command all the attention which it could deserve. But analysis or description will not be readily esteemed the best means of improving a political system.

It would not only be unnecessary, but disagreeable, to reiterate the arguments by which we have endeavoured to prove the legal representation of America. If aids extorted from her to relieve Great Britain be wanton or exorbitant, we have formerly shown that they must be paid by herself, in a manner more disagreeable and hurtful than when immediately disbursed by parliamentary authority. If laws which are made in Britain for America do not issue in her general or ultimate advantage, the mischiefs which they produce must recoil with double vengeance upon the nation where they were made, and the legislature by which they were enacted. Why then are such pueril sophisms, such consummate jargon, eternally bellowed in our ears, which have already been as often refuted as proposed?

We are now to follow the Doctor in his additional considerations; and the first of these is, 'Whether, if we have now this supremacy,' (this sovereign power to taxation and legislation), 'we shall not be equally intitled to it in any future time?' To demonstrate the absurdity of this supposition, he mentions the rapidity of

their

their population, the extent of their property, and the success of their efforts in arts and sciences. From these premises, he concludes, that, in fifty or sixty years, every particular province may equal or surpass Great Britain. At that period, according to him, if it is unreasonable to suppose a people governed by another, every way so much their inferior, why should it be reasonable to govern them at present? He desires us, 'to draw the line if we can;' but nature, tenacious and successful in all her purposes, will save us the trouble. She herself has drawn the line, and marked the aera, with signatures no less conspicuous and legible than those which mark the time when children are enfranchised from the absolute dominion of their parents. When colonies are mature in the arts of government and legislation, when they become able to provide for their subsistence, and ascertain their security, it is equally iniquitous and impossible, in the nature of things, that their dependence should be protracted. But, even by the concession of their advocates, the crisis of their emancipation is not yet arrived.

Nor is it either necessary or practicable, that the colonies should pursue our government through all its vicissitudes, or participate the evils to which it is obnoxious in every period of its decline, unless the same causes which operated in Britain should likewise extend their baneful and malignant influence to America. The gradations by which a falling state approaches to dissolution, are too plainly discernible to be mistaken: And, when this public degeneracy becomes visible, the colonies, if not infected by the same mortal disease, will not only have sufficient prescience to perceive their danger, but sufficient spirit and energy to assert their independence, and vindicate their liberty.

We have already asserted the discretionary power of the legislature, both over Britain and her colonies, upon principles which appear to be founded on the nature of things. Indeed, when a legislature is formally constituted, it is absurd and ridiculous to suppose any particular number of men, impowered by that constitution, to enact laws which their successors, invested with the same powers, cannot repeal. It must be acknowledged, that there are laws eternal, immutable, and inviolable, by any human decree. These, however, are prior to all particular forms of government. They are coeval with the supreme lawgiver. They are the institutions of God and nature. But these are the only barriers which can limit the discretion of any human legislature. The freedom of any civil government consists in the undisturbed possession, and free exercise of such powers as are suitable to its necessities, and adequate to its importance. From the judicious distribution of these powers, and their proper exertion, result the integrity of the legislature, and the happiness of the subjects. By what infatuation, therefore, will a legislature be induced to transfer to one branch, a dangerous branch

of itself, such powers as are equally due to the whole? But, it is said the regal authority has been rendered despotic over Canada, and the same thing attempted in Massachusetts Bay. Whoever will peruse the acts of parliament relative to Canada, must be convinced that the powers invested in his Majesty by these statutes, are merely executive. But executive powers can never be despotic, unless inseparably united with the power of legislation. I cannot forbear to take this opportunity of observing the spirit and conduct which at present so eminently distinguish our august and venerable patriots. Who can be more sublime or diffuse than they in their flaming panegyrics upon the spirit and principles of their native constitution? Who can more warmly enumerate, amongst their most valuable blessings, that liberty and toleration by which their civil and ecclesiastical polity are characterised? Yet, how intensely were these liberal and tolerating spirits kindled by that unpopular act of parliament called the Quebec bill? The inexpressible sin of permitting and authorising the exercise of popery in any part of the British dominions, has been exaggerated with a fury and clamour, equally disgraceful to the British constitution, and the human species. The cession of Canada by France to Britain, is a recent event. All its European inhabitants had been bred in the faith and principles of the Roman catholic church. Were, then, the inhabitants of that northern continent to be expelled from their settlements, or persecuted with fire and sword, upon its accession to the British dominions? Were they not rather to be indulged in the free use of their principles, till they should become the profelites of truth and reason, which could scarcely fail to happen, where Evangelical light is universally diffused, without being intercepted by the interpositions of secular power or policy? I know the intriguing and sanguinary spirit of that religion; the precautions, therefore, taken by our legislature at home, to limit its power and influence, (as necessary for the preservation of public peace and order,) were highly laudable. But, what reason can be urged for extending the same restraints to a distant province, inhabited by papists? If this be English toleration, it is still imperfect, till supported by inquisitors, and instruments of torture. In vain are the military preparations and hostile enterprises against Massachusetts bay represented as acts of tyranny. The inhabitants of that province have no claim to any civil right under heaven. Their effects, their lives, their reputations, are forfeitures to public justice. Humanity will still feel for the sufferings of men, when intense in their degree, and long in their continuance; but their conduct has now rendered it impossible for the most despotic and arbitrary power to treat them with tyranny.

By an unseasonable and impotent resistance, every claim to be derived from government is lost. For their violation of the political compact is not merely personal; it extends to the whole system of which they

they are members, and tends in some degree to affect the general order of the world. For this reason, it is not sufficient that we use all the positive rights derived from any civil constitution, but even those primary rights which were originally inherent in our nature, the right of exerting our powers, of possessing our effects, of defending our characters, and even of retaining our lives. Whatever exemption, therefore, the province in question may find from any or all of these calamities, must not be attributed to any right which they either at present possess, or can for the future resume, but to unavoidable accident, or to royal clemency alone. Let us not then be told of our injustice, in re-modulating a government, which, after the treason of its subjects, was no longer existent. There is, doubtless, a natural possibility, that one state may subject another to arbitrary power; but Dr Price must be delicately apprehensive, if he imagines, that a government, which is free and jealous of its least important privileges, will put in the hands of its chief magistrate the means of subduing and retaining itself beneath the pressure of irresistible power. The act for regulating the affairs of Quebec, has been so frequently and so insidiously mentioned by the Doctor; it is a topic so inflammatory in itself, that even apostolic charity cannot vindicate such a conduct from malignity of attention. He must either have a bad understanding, or a corrupted heart, who cannot perceive the distinction between obtruding a new religion upon any province, and confirming one which has been already established. What would these declaimers have wished the parliament to do? Must the consciences of the people be forced? must their understandings, misled or prepossessed as they are, be annihilated? Must protestantism convince their minds by military logic? or must they enjoy their religion by connivance? which is infinitely more pernicious and dangerous than the most flagrant violation, or audacious contempt of law. Ye tolerating spirits! ye patrons of justice and liberty! reconcile your conduct with your pretences, if you can; if you cannot, throw off the mask, and discover yourselves to be the disturbers of earth, and the agents of hell! The Doctor supposes his countrymen mighty profuse of their hearts blood; but, in fact, there is no people under heaven who value their own hearts blood more, or that of their neighbours less. Have they not ridiculed the French for their attachment to dramatic probability, and a bloodless theatre? Are they not enraptured with tragedies in proportion to the slaughters which they exhibit? Can any thing more strongly attest their innate love of carnage than the entertainments of the cock-pit, of bear-beating, bull-beating, &c. of which they are so passionately fond?

SECT. II. We now proceed, with our author, 'to examine the war with the colonies by the principles of the constitution.' He

roundly

roundly tells those who affirm that we are maintaining the constitution in America, ' that what they assert is not true ; nor, if it ' were, would it be right.' But, I must be permitted to ask him, Whether it was the design of the British legislature, that the governments of America should be independent and unaccountable ? If so, why did it reserve to itself the indefinite and unalienable power of negation ? and why was this power recognized in America ? It was not limited in its extent to such determinations as were of common concern. Can any thing, then, be more obvious, than that, both according to the sense of Britain and America, the governments of the colonies were dependent and subordinate ? But, if dependent, they must be parts of that maternal constitution to which they owe their origin and subsistence. What innovation is then introduced ; what charters infringed ? Or, if they were infringed, what injury has been done, since, in the Doctor's opinion, their obligations are so feeble ? It is gross absurdity to argue, when it serves a particular purpose, from topics, as if they were of the highest importance, which, at other times, are allowed to be trivial and insignificant.

Our author, however, declares it as his principal intention, to make the following observations : ' The fundamental principle of ' our government is, the right of a people to give and grant their ' own money. It is of no consequence, in this case, whether we ' enjoy this right in a proper manner or not. Most certainly we ' do not. It is, however, the principle on which our government, ' as a free government, is founded. The spirit of the constitution ' gives it us : And, however imperfectly enjoyed, we glory in it ' as our first and greatest blessing.'

Any man who is born in a particular country, or who, after his arrival in it, continues to claim its protection, to adapt its manners and customs, to obey and approve its laws, to enter into its interests and concerns, is effectually engaged in the political compact ; because his consent, though never verbally expressed, is unquestionably and sufficiently implied in his conduct. As the protection of individuals, and the public security, reciprocally depend one upon another ; and, as the public safety can neither be procured nor ascertained, without public funds, it is the indispensable duty and real interest of every member in a civil society, to contribute to these funds in proportion to the advantages derived from the constitution which requires them. In what sense, therefore, subsidies of this kind can be denominated free gifts, I am at a loss to discover. Taxes must always be levied in proportion to the exigences of the state, and the abilities of its members. It frequently happens, that neither the quantum nor the quando are arbitrary. Emergencies may occur, in which both the quantity granted, and the season when it ought to be raised, are necessarily prescribed by the same events which create the demand. The right, therefore, of a state

to require aids in a given quantity, and at a certain period, is absolute and incontrovertible. How, therefore, any right can subsist in individuals, to grant or withhold such contributions, must appear a most inexplicable mystery. The legislature, indeed, is the ultimate judge to how much particular subsidies should amount, or by what proportions, and from what sources, they ought to be drawn. But this is as much the duty as the privilege of a legislature. Upon this right, however, in our author's judgment, the essence of our government depends. From this flow our liberty and independence; and, though but imperfectly enjoyed, we glory in it as our most valuable blessing, because it is the spirit of the constitution. Is, then, the spirit of the constitution essentially derived from this right? and is the right itself imperfectly enjoyed? Gloomy discovery! Miserable situation! The spirit of our constitution is then fallacious, and our sense of liberty delusive. But, on the contrary, I maintain, that we enjoy this right in a manner as full and perfect as it is practicable for a great and numerous people to enjoy it. Who will affirm, that all the members of an extensive and populous realm, can either be judges of the time, the manner, or the quantity, necessary to supply the demands of government? Who will pretend, that all the members of a state are either sufficiently enlightened to chuse representatives, or can be represented by persons of their own election? Yet, as virtual representation extends to the whole community, the principle of political freedom still subsists, and operates with full vigour, tho' all the individuals do not uniformly act agreeably to the immediate determinations of their will. It is then a gross and palpable falsehood, that the war is intended to introduce a new constitution into America. It is a deplorable, but necessary expedient, for the restoration of safety, order, and peace. We have already seen what a strong and sensible reciprocation of interests is produced by commerce between Britain and America. From this single principle, it will appear, that, by enormous demands upon the colonies, the British constitution must quickly bleed itself to death. She must exhaust the sources of vital moisture, prevent its regular circulation, and debilitate all the functions of the state. This would not only be to give the King our own money, in giving him theirs; but, like the spouse of Hercules, to present him with a gift subversive of his own power, and destructive to the state which he governs.

SECT. III. Having examined how far the war with America is compatible with justice, and with the principles of the British constitution, our author proceeds to consider its 'policy or expediency.' To show how impolitical such measures must prove, he recapitulates the advantages which have accrued to Britain from her connection and intercourse with the colonies. He enumerates the happy consequences which pacific measures might have produced,

and

and the pernicious effects of a contrary procedure. He imputes the war to ambition, resentment, avarice, and pride. But here, instead of concise argument and conclusive reasoning, we are entertained with unmeaning rhapsody and declamation. You cannot, therefore, expect that I should keep him so closely in ⁴⁹ ~~view~~ as has hitherto been done. Admitting all the advantageous or hurtful consequences which form his detail to be real and unavoidable, the consideration of a single fact destroys his fine hypothesis, and exposes his arguments to ridicule and contempt. The late conduct of administration did not, as has been asserted, inspire the discontents of America, but merely afforded her an opportunity of expressing them.

Nor was the jealousy of government groundless. The projected independence of America has long been no subject of conjecture. Every mind was impressed with that idea, not from notions or anticipations of what might happen, but from the general sense of the people, as far as it could be understood and authenticated by the common intercourse of life. It is notorious that America, like a charged cannon, lay impregnated with latent mischiefs, and prepared for instant explosion, when the match should be applied. This event, whenever it happened, must, upon the Doctor's own principles, have blasted every happy consequence which he presages, and produced every public catastrophe which he apprehends. It should therefore be esteemed a lucky circumstance for this island, that America has been so premature in her declarations, and discovered her views before she was in a situation to render them effectual.

Britain, it is said, can only maintain her supremacy over America, either because it is eligible for itself, or because it is connected with some other public interest. If maintained for its own sake, its motive must be the desire of extended dominion, or the lust of power. When authority is violently usurped, or unjustly acquired, it cannot be maintained but by criminal ambition. It is, however, quite otherwise when a nation asserts her original and acknowledged rights: In such a case, the means which she employs, though violent, may be just; and the legislature is unworthy of the confidence reposed in it by the public, if it pursues not every method for recovering the rights, and restoring the integrity of the state. Is this ambition? Patriots call it so; and patriots must be honourable men! If the arguments formerly used by our author be not absolutely decisive of the question in agitation, it is beneath the human character, it is incompatible with the Christian temper and profession, to deduce the war from any motives but such as are worthy and laudable. But, should a clergyman become the parasite of a party, should he exert talents consecrated to the glory of his Maker, and the utility of his species, in disseminating false opinions, and inflaming popular prejudices? What degree of infamy, already known,

is sufficient to brand such unpractised, such unprecedented enormities?

We are now presented with reasons, to prove that the present contest is a contest for power; and the only one urged is the love of power inherent in our nature, of which the subsequent arguments are only so many modifications. But, Is there no other principle inherent in our nature except the love of power? Have we no innate propensity, no original predilection for justice? If we have, Why should the first of these be the motive of the American war, rather than the last? When it is objected, that the resistance of the colonies is likewise a struggle for dominion, the Doctor replies, 'That it is for self-dominion, the noblest of all blessings.' But will he likewise have the effrontry to assert, that this principle of outarchy is underived and inherent in the constitution of America? From the powers reserved to itself by the British legislature, and from the acquiescence of America in its determinations, we have shown, that such a principle was neither possessed nor arrogated by the colonists. The Americans, if the Doctor pleases, have done us no personal injury, nor is our vengeance personal. But they have injured that republic of which we are members. They have refused those aids which the common exigences required. For, let it be observed, that, if the government of America be not independent, but really a part of the British constitution, as I have attempted to show, the national debt, which our author displays and exaggerates with so much industry, is, on a double account, no more the debt of England than of America. It is equally due by both, because their constitution is the same. It is peculiarly due by America, because much of it was contracted for the defence of the continent.

It is of no moment, in the present dispute, whether a revenue from America be the object of government or not. It is of as little importance whether the American trade be of consequence. A people who suffer themselves to be cajoled or bullied out of any right, may, with the same equanimity and resignation, resolve to give up every right. Had America been permitted to dilacerate the empire with impunity, Why should not the Isle of Man likewise assert its independence? Why should not Wales be separated once more from England? Why should not Scotland resume its pristine glory?

It is pretended, that the conquest of America will yield us no advantage. This might have been true, if no rupture had happened between Britain and her colonies. War would then have been diabolical cruelty, and victory itself the lowest infamy. But, since a separation has been attempted, the colonists must either be ours, or have no existence at all. For, is it possible to reflect without perceiving, that, whatever we lose on the continent, must become a real and important accession of wealth and power to our rivals and

our

our enemies. America is now rendered unanimous by its common danger: Let that but cease, and its councils will be immediately distracted by emulation. A struggle for dominion amongst the provinces will ensue. While thus convulsed and fermented by intestine quarrels, Can it be imagined that the other powers of Europe will remain idle and indifferent spectators of the conflict? Will they not interfere? Will they not assist the prevailing power; or, by favouring each in its turn, will they not fan the flames of civil dissention, till, by mutual rencounters one with another, the provinces are impoverished, and their numbers exhausted? Thus, their conquest will be rendered easy, their servitude oppressive, and their subjection eternal. These, in the common course of things, are the most rational events which can be prognosticated from the abortion of our continental enterprizes. And I now leave you to judge, whether their success be not essential to the happiness of America, and highly advantageous to Britain. Let us not flatter ourselves; political power, like mechanical motion, is never annihilated. It escapes not from one hand, but by being transferred to another; and, whatever Britain loses, France or Spain will acquire.

The difference between *meum* and *tuum*, while men are men, has always excited, and will always excite the most powerful principles of action in their nature. It is an injury no less sensible, to refuse a people what is their due, than to rob them of what they really possess. How then can it be surprising, that such overt acts of injustice should provoke the warmest resentment? But it seems 'the Americans have sent no military force against us. They do not cross the Atlantic to extort from us the fruits of our labour.' What a noble effort of self-denial! What a meritorious exhibition of abstinence! They forbear to wage offensive war with a foe for whom they tremble, even in their own distant world, as their patrons affect to call it. But, were they disposed for such a martial expedition, it might be asked, What motive could impel them? How could they be enriched by the fruits of our labour? In its climate, in its soil, and in all the opulence of nature, the region which they inhabit is as much superior to England, as England to Lapland or Siberia. Let those gentlemen who so politely and liberally compliment the Scots on the natural disadvantages of their country, consider this, and curse that littleness of soul which can vilely descend to such mean revenge.

Our author charitably imagines, that some who approve the war, may be actuated by other principles than pride, ambition, or resentment. They may be animated by a zeal for maintaining authority, and for preserving 'the unity or indivisibility of the British empire.' I have entered with him into the inquiry contained in the first part of his pamphlet; I have pursued him through every capital argument. These have been fairly stated, and, I hope, effectually

tually refuted. It has likewise been shown, that the present measures of government, severe and violent as they may seem, were the only means left us by America, for pursuing and ascertaining those very benefits and advantages which she now pretends to vindicate from the tyranny and rapacity of Britain.

Authority, when its claims are unjust, or its administration weak, has good reason to shun the light of heaven. Impartial discussion and free examination may shake such evanescent fabrics to their foundation. But an authority like that of the British legislature in America, can have no reason for flying to reserve and silence for safety. Claims, derived from reason and equity, may be securely exposed to the view of heaven and earth.

The jealousy of America, entertained by our governors, was not indeed inspired by any public determinations of the continent, nor suggested by any ideas, as the Doctor would injuriously insinuate, that the yoke imposed upon that people was too oppressive to be borne. It was inspired by the prevailing sentiments of the colonies, which, though not in a public capacity, had long been repeatedly and openly declared. The policy so highly extolled by the Doctor, was pursued till it became neither seasonable nor effectual. *Parcere subiectis, et debellare superbos*, is a maxim of state approved by the wisdom, and confirmed by the experience of ages.

We are now regaled with a sanguine detail of enormous blunders in policy, which it would be unnecessary for me to recapitulate. I am no ministerial knight-errant; nor is it either my interest or inclination to defend implicitly the procedure of government in every step. In reviewing this part of the pamphlet, you will find it the Doctor's opinion, that the object of administration was to draw a revenue from America by parliamentary taxation. But formerly, when he thought it necessary to throw an odium upon government, by deducing its procedure from the lust of power, he seems to think, that a revenue from America was not its object, nor the continental trade of much consequence. Such are the subterfuges to which we are reduced, when we mean to carry our point at every expense.

I have already said, that it was neither my business, nor concern implicitly to vindicate the transactions of Britain with America. Statutes enacted and repealed, measures pursued and retracted, are certainly politics unworthy of a nation of philosophers, as they are called by the Abbé Resnal. The courtier will ascribe them to caution and lenity. By the patriot they will be imputed to the power and interpositions of faction, which alternately revived the spirit of despotism, after it had given way to the remonstrances of sober wisdom. Neither of these opinions may, perhaps, be entirely groundless; but there are other reasons, of a nature more profound, and less conspicuous to general observation, which will always render the government of Britain irresolute and tardy in its
H interpolations,

interpositions, when any critical or unexpected emergency occurs. A considerable body of militia has always inspired the administration with jealousy, lest it should too much increase the power and influence of the people. A standing army, depending on the crown for its existence and its pay, has always been suspected, and obnoxious to the people. Hence, in peace, the veteran soldiers, who, by a succession of severe campaigns, had been inured to courage and discipline, are disbanded, and left to the miserable alternative of fighting under a foreign banner against their country, or of procuring a wretched and precarious subsistence by robbery at home, which is no longer to be acquired from such mechanical labours as they have either never learned, or entirely forgot. Upon the approach of a war, the nation is reduced to the miserable necessity of collecting a tumultuary and undisciplined force, which, by a profuse expence of blood, and a severe succession of abortive and dishonourable experiments, must first be trained till they become useful, and then disbanded.

Conscious of these circumstances, Is it possible for a government to act with vigour and resolution? Can a legislature boldly determine, what it knows the executive power, entirely disarmed and without resource, must feel itself incapable to perform? Ye ministers of state, you who sit at the helm of affairs, with whom are entrusted the glory and happiness of nations, for once, if, in your department such a conduct be practicable, for once be wise, be liberal, be magnanimous! Let the people be empowered and authorised to defend themselves. Let them be constituted, by public authority, the protectors of their own essential interests. They will be more zealous in performing that duty, than any mercenary butchers of their species whom you can employ. They will be at hand in every impending danger. They will guard, with incorruptible fidelity, whatever is dear to themselves, or whatever ought to be dear to you, if your conscience can vindicate your procedure to God and them.

Here, whatever consequences may attend the free effusion of my pregnant soul, let me give way to its grief and indignation. When all the troops that could be collected in this realm, or hired from others, are employed in distant, though necessary service, Why is the unhappy kingdom of Scotland left naked and defenceless to every invasion? England is already provided with an internal force, which may repel any inconsiderable attack; but Scotland, through its whole extent, is open to the ravage and barbarity of the weakest and most despicable aggressor. Why are not her own brave and faithful offspring, at least permitted to shed their blood for her glory and safety? And why, good God! that I should live to speak it, why was a measure, so salutary to both these kingdoms, shamefully and grossly opposed in the British House of Commons? Ye inhabitants of England, ye sons of brutality and ignorance, Has God at last, in justice, cursed you with judicial and incurable blindness!

blindness! Could you not see, that whoever injures or insults the kingdom of Scotland, essentially injures and insults yourselves? Could you not perceive, that, when she is violated, you are exposed?

Tunc tua res agitur paries cum proximus ardet.

HOR.

But of this enough.

The topics of popular discontent, upon which patriotism had formerly expatiated with so much triumph and self-congratulation, are not still thought sufficient to inflame the passions, and pervert the judgments of an impetuous and unreflecting people. We must now contrast the present state of affairs with what it was under some preceeding reigns. To all this laboured and florid detail, we need only reply by a few questions. Whether did the power of legislation, exercised in America, originate in Great Britain, or on the continent? Whether were its limitations voluntary acts of American liberality, or just demands of Great Britain, and necessary measures for the welfare of the colonies? Whether did America offer any commercial concession to Great Britain, which it was consistent with her general interest to refuse? Whether was not her acquiescence in these political and commercial regulations, a sufficient indication of her consent, and, consequently, a sufficient reason for their establishment? If these were necessary when the colonies were in their minority, What reason could then have been given for establishing and exercising that form of government, which may not still be given for continuing them?

In recapitulating the advantages we have lost, the Doctor informs us, that, had we yielded the colonies every unjust and extravagant concession which they demanded; had we suffered them to remain the nominal subjects of the British government, they would not only have allowed us, with pleasure, the reasonable profits of a continued commerce, but also the honour and expence of defending them, both against themselves and their enemies. Had we selected and pursued these measures, What halcyon days should we have seen? Plenty would then have anticipated our wishes, and honour and dignity courted our acceptance. It is no wonder, therefore, that a constant and zealous well-wisher of the government under which he lives, should call its policy vile, and its exercise a scourge, when it adopts such measures as his inscrutable wisdom cannot approve. One thing, however, is certain, that the Americans acknowledge the exclusive commerce of Great Britain to be a motive of no small influence in suggesting their great design of independence. One article, in all their capitulations, has been the extension of their trade; nor have they always thought it necessary to consult Great Britain whether they should extend it or not. But, should they export their products to every market, which it has been

long their fixed intention to effectuate, we may safely affirm, that, for ages of ages, this island might have furnished them all the manufactures they wanted, without causing a vacancy in any other department.

What follows, in this section, is an account of the dangers with which we are threatened, from the uncertain and fluctuating state of public credit, and of the tendency which our rupture with America may have to accelerate the ruin we presage. The whole superstructure of Dr Price's reasoning is founded on two fallacies in fact. For, first, he presupposes, that the American governments, though similar to ours, are independent of it. And, again, That the Americans would have been contented with their subjection and dependency, had we not urged them, by the sense of its increasing weight, to hazard the most desperate means of redress. It has already been evinced, that the American governments could not possibly be ignorant of their dependency ; nay, that, virtually, they acknowledged and approved it. It is equally certain, notwithstanding their public acquiescence, that, for a succession of years, they have entertained views of detachment from the British government. Had the course of things proceeded in its former train ; had their progress in population, arts, and commerce, met with nothing to interrupt or disconcert it, perhaps the æra of its enfranchisement might have been at no great distance. To whatever shocks public credit may be obnoxious, from the present posture of affairs, they were still impending, and might have been felt with greater force, and more fatal consequences, in proportion as the crisis of its arrival was more remote. Though the credit of paper-currency may be founded on opinion, the degree of credit possessed by every nation is in proportion to its wealth. Its wealth consists in the number of its hands, the quantity of its industry, the value of its products, the conveniency, extent, and security of its commerce. By these circumstances, and not by the temporary fluctuations of paper-currency, the world will estimate the stability and extent of public credit. It must, however, be confessed, that banking has an indirect tendency to throw the balance of trade against a nation, and thus to hurt or destroy its credit. But, for researches of this kind, you may consult Mr David Hume's Essays, and the admirable treatise on Political Oeconomy by Sir James Stewart. The question is not, Whether banking be fatal or salutary to a nation ; but whether such a nation acts according to sound policy, in its endeavours to retain its disputed rights, and to retard a separation which must sooner or later have happened, whether she had attempted to assert her claims or not ? If we cannot prevent the day of evil, it is certainly our next political resource to suspend it.

SECT. IV. Our ensuing task is, to examine how far the honour of the nation is affected by the war with America. And here the Doctor

Doctor exerts great sagacity, in making the distinction between the nation and its rulers. They certainly are personally distinct, but politically one. In no free government under heaven, have the opinion of the nation and its rulers been exactly and perpetually unanimous. Nor is it possible that they ever can be so. Yet, in all political transactions with free states, the sense of government has always been, and must always be, esteemed the sense of the nation. For if, upon any particular emergency, individuals are intitled to reject the sense of their representatives, Why is not one as much intitled as another? Who shall reconcile the infinite diversities of opinion which must then take place? and, till they are reconciled, upon what principles can political negotiations proceed; or by what public faith can they be ratified? The Doctor's politics may perhaps be the politics of Locke; but sense and reason, practice and experience, God and nature, explode them. The sense of its legislature is, therefore, to every political purpose, the sense of the nation; and all the dishonour which can fall upon the one, for humiliating concessions, and retracted measures, will be justly inflicted on the other.

Long has the imbecillity, the desultory conduct of Great Britain, been sufficiently ridiculous and contemptible to Europe. Let us not sink beneath the degree of contempt and ridicule which at present we suffer. Let us not, in political quantity, become equal to Zero.

But, we are told, that it is no less prudent than honourable to retract. For, one day, our distress may extort what our humanity and justice deny. When the sky falls, says the old adage, you may catch larks; but, he who waits till that event for his dinner, will discover no high degree of prudence. The subjection of Corsica to the Genoese, was indeed the subjection of one people to another. It was never undisturbed, never perpetual and confirmed. When the Genoese found it impossible to retain their dominions, they sold it to France. Is this agreeable to the present spirit and conduct of Britain? The man who could draw the comparison, must have neither honour nor modesty.

Is there no distinction, then, between foreigners and descendents? Are both to be treated in the same manner? Is it reasonable to expect from the former what we may justly demand from the latter? It has already been proved, that the diversities between Britain and America are not sufficient to render them distinct countries. But, till their characters, manners, laws, and interests, be ascertained as incompatible in the same civil society, our author's argument proves nothing at all.

The Dutch did not attempt to shake off the yoke of Spain, without the highest provocation. Their properties were not plundered by law, but by open force. The representatives of their most ancient and noble families were dragged to execution without trials,

and

and their heads exposed in every market-place. Their towns were rather like slaughter-houses and shambles, than resorts of commerce and security. Were hostilities of this kind practised in America prior to her resistance? Are they now practised, though in a state of war? If Dr Price imagines the United Provinces a republic so happy, why does he not leave the British constitution, in its degeneracy, to become a member of that august and patriotic society? If he should take a resolution, so becoming his nature and his principles, let him listen to the advice of a friend: Let him beware of speaking or writing concerning Dutch politics with the same freedom which he has used in canvassing those of Britain, unless he should chuse to become an honourable exile, or a more honourable martyr, in the cause of liberty.—The wars of Athens, and of Rome, are nothing to the present question.

‘The present contest with America is neither disgraceful to us, because inconsistent with our own feelings in similar cases; nor because condemned by our own practice in former times.’ The struggles of Britain for liberty, were either against foreign usurpation, or domestic tyranny. Those of America are against the legal demands of that very state, with which she is incorporated, and of which she constitutes a part. But our author’s clemency is inimitable and incomprehensible. Because others have vices similar to our own virtues in extreme, these vices must not only be forgiven, but applauded. Once it happened, that a famous oeconomist seized a thief in the very act of purloining his property. Nobly done, said he; it is my business to save, and your’s to gain. Our spirits are congenial and sympathetic. I therefore not only pardon, but commend your actions. From henceforth, you shall find my house, at all times, accessible, and my good offices always at your command. In return for these favours, I only ask your intercourse and your gratitude. The felon demonstrated the sincerity with which he accepted these overtures, by the use which he made of them.

But the war, it seems, is disgraceful, on account of the manner in which it is carried on. The laws and religion of France have been established in Canada. The negroes have been tempted to insurrection. The Indians have been solicited to join us. We have tried to procure a body of Russians. Our own troops have been employed against America; and the defence of our forts and garrisons have been trusted in the hands of Germans. Upon the first of these topics, I have already delivered my sentiments, much to the honour of English toleration. Till the Doctor has given us better authority for the seduction of the slaves, than mere American reports, he must permit us to doubt both their testimony and his own. Indeed, the pamphlet before us is not calculated to inspire favourable prepossessions of his veracity. Were it true, that the Indians had been solicited to join us, where is the article, either in the laws of war or of honour, which has been infringed by such a pro-

procedure? Or, if the laws of war had been violated by it, whence is rebellion intitled to claim the immunities derived from them? If, in extraordinary emergencies, ministers must have recourse to extraordinary expedients, let the disgrace and odium fall upon such as deserve it. Why is the nation disarmed of troops at home, by that execrable jealousy and suspicion which are the eternal and essential inmates of mean and contracted spirits? Does that nation deserve less than contempt and perdition, which dares not to trust itself with its own defence? In hands like these, power is more despicable than impotence, and caution more ridiculous than folly. Let it be recorded, in the archives of eternity, to the glory of English valour, that she has neither courage to trust herself, nor to employ others in her own protection.

SECT. V. How far the present rupture with America is consistent with our sense of honour and justice, with the principles of our constitution, or with sound policy, we have examined, or rather conducted the Doctor through his examination. It remains that we pursue him, whilst he investigates the probability of our success. We are told, upon the Doctor's information, that the greatest number of troops which can be sent to America, inclusive of foreigners, is 30,000; to which the Doctor, in the excess of his generosity, adds 10 more. We shall reckon him a patriot, indeed, if he will realize the supposition; if he will collect them, and arm them, at his own expence. But this is more than government can expect, even from a welwisher so constant and zealous as himself, though his laudable endeavours to reconcile domestic discontents, and suppress the murmurs of faction, might give reason to expect much. But, with the 30,000 employed by government, and the 10,000 levied by himself, we must, it seems, encounter 500,000, or, in his own majestic phrase, half a million of effective men, fighting on their own ground, and engaged *pro focis et aris*. It may, however, be shrewdly suspected, that the Americans would not be sorry to find the seat of war transferred to another region, even at the expence of every advantage which they can reap from fighting on their own ground. But, while this mighty number of effective men are employed in the field, may we not modestly ask, who shall cultivate the land, and prepare its product for sale? who shall perform the other indispensable offices of commerce? Who shall superintend the growing state, and watch, with paternal care, *ne quid respublica detrimenti capeat*? When these tasks are properly fulfilled, there is reason to apprehend, that mighty deductions must be made from our 500,000. We may likewise ask the Doctor, in a friendly manner, whether his allies are sufficiently provided with the materials of subsistence, or with warlike stores? But, in these they will doubtless be abundantly supplied, by their captures from

from Great Britain, or by their happy intelligence and intercourse with her enemies.

We might farther inquire, what money America possesses in her banks? what quantity she circulates? and how the credit of her paper-currency is likely to be maintained, during the cessation of trade? These questions might perhaps puzzle an Oedipus, but may receive an easy solution from the Doctor, and his patriotic sages.

Unhappy Britain, if the representation of thy patriots be true, immersed in luxury, poverty, and slavery, at home, and engaged in war abroad, with a power, not only sufficient to conquer, but annihilate thy forces, how shalt thou maintain thy ground, when Athens and Syracuse, Rome and the Italian states, Spain and the Netherlands, heaven and earth, the living and the dead, are invoked as the auxiliaries of thy enemies? Yet, let not these adverse circumstances drive thee to despair. The Americans are not invincible, even on their own ground. The wretched creatures who groan beneath their tyranny, are more than sufficient for the conquest, and will doubtless, in time, without sollicitation, collect and exert their force, to retaliate the injuries they have suffered. Troops and provisions have crossed the Atlantic in safety. How else did the progenitors of those, whose future achievements are so loudly thundered in our ears, reach the continent? But whence has our author learned, that the troops employed in America are incapable of being recruited after any discomfiture? Have not the British armies, on former occasions, been defeated and reinforced? and why not now, as in other periods? Why not in America as in other places? Is either our native strength, or the friendship of our allies exhausted? Whatever denomination language may apply to our conduct, it certainly wants powers to describe the impudence of those who accuse us.

It is a precious political discovery, that a naval force, which cannot fail by land, is useless. Surely the Royal Society, who formerly elected our author a member, cannot now do less than create him their president. The maritime towns on the continent which are burnt or destroyed, may not, however, prove so many pledges of its fidelity lost. For, if rebuilt at all, their situation will probably be chosen by Great Britain.

Another of the inscrutable arcana for which we are indebted to the Doctor's wisdom, is, the facility of turning mercantile vessels into ships of war; and, by this manoeuvre, producing a formidable maritime power. But, when thus victorious, thus respectable by sea and land, what will British acts of parliament avail for intercepting the trade, and preserving the virtue and simplicity of America? Will they not unfurl their sails to every wind of heaven, and import every luxury which their commodities can purchase? We may safely admit the testimony of our author's acquaintance, that

he is free, or his own, that he is not free from superstition. The course of nature, and the war with America, will not probably be much influenced by either of these alternatives. Let us, however, attend to the important birth with which the spirit of our author seems in labour, and which makes such a mighty struggle for delivery.

The dreadful impiety with which we are now charged, the alarming description of our manners and pursuits, are equally real and melancholy. Would to God, my country had left it in my power to confront the observations upon this, as upon other topics. But, should I attempt an enterprize so wild and impracticable, truth, eternal and inflexible truth, would be my adversary. But lewdness, avarice, dissipation, and perjury here, are not more prevalent than hypocrisy, and false devotion, in America. Boston has long been the capital seat of its religious fervors. Yet, I can assure you, upon the authority of names as respectable as America can boast, that, for want of probity and integrity, the Bostonians are infamous, even to a proverb. Nay, that any person, whether from the islands or the continent, will be more readily and implicitly trusted in business than they. Thus is the Creator and Judge of the universe flattered and cajoled, in hopes that he may forgive the impositions practised, and the injuries inflicted on his creatures. Such are the fastings and prayers offered to the throne of Omniscience by North America. Which side then is Providence likely to favour?

If the cause of public justice be the cause of God, Why may we not implore his blessing upon ours? If we only act for the maintenance of our native rights, Why may we not affirm, in his presence, that we are not the aggressors? Government will readily acknowledge, that its present efforts are not in defence of personal rights and properties: That it fights not to repel the immediate hand of oppressive power, but to preserve its integrity, and vindicate its legal rights. These are circumstances, in which private litigants may make large concessions; and, in doing so, will act agreeably to the spirit of their religion. But, should the same rule be extended to the administration of kingdoms, destruction must be its obvious and necessary consequence. For, in proportion as the government recedes, the subject will incroach; the hands of the executive power will be weakened; the strength of its opposers increased and reinforced; extraneous foes will impute its lenient measures to timidity or weakness; insult, rapine, and cruelty, will universally prevail. Besides, every government is accountable to God and posterity for the trust reposed in it by its constituents; and every right which it sacrifices to mercenary ends, to factious views, or to the suggestions of cowardice, will be amply vindicated by the course of events in this world, and by the divine administration in the next. Let the Doctor, therefore, who so warmly exerts his

readers, remember, that, though the profuse or wanton effusion of blood be a sin which cries to heaven for vengeance; yet the public incendiary, who destroys that union and confidence which are essential to the order of states, and the subsistence of government, shall not escape with impunity.

—*Præcui, O præcui, este profani!* Let us now listen with reverence and attention to our author's recapitulation of his arguments, and to the feelings of his heart. But, as you have his book before you, it will be sufficient for me to answer, without rehearsing the summary account of his former reasoning, which concludes the section. When, or where has it been pretended, that the Americans are more our subjects than we theirs? The colonies are indeed subject to our legislature, but so likewise are we ourselves. If such people as are only virtually represented cannot be taxed by themselves, then are two thirds of the inhabitants of Great Britain taxed by a power extrinsic to themselves, and consequently slaves. If the nature of government requires, that people should be taxed by virtual representation, every one who submits to live under such an oeconomy, is really taxed by himself; and, as the Americans are virtually represented in the British legislature, they are virtually taxed by themselves. Mistakes and inconveniencies will happen in all human governments; it cannot, therefore, be imagined, that taxes will always be levied with prudence and moderation; nor, even that the exigences of the state will be always proportioned to the abilities of the people. But, the reciprocation of interests between Britain and her colonies must effectually restrain all exorbitant demands upon them, if she would preserve the original sources of her opulence, in a proper condition, to yield her copious and permanent supplies.

Whose parliament, and whose laws have the Americans then refused to obey? A parliament and laws which are as much their own as ours. 'The lands of our freeholders are represented, not theirs,' says the Doctor. Is it then the particles of earth, or the stones of houses that are represented; or the people who inhabit them? Are the cares of a representative confined to the district which he represents? Is it not his business to adjust the interest of subordinate communities with the general interest of the whole society? Is he then exclusively elected for his particular province, and for those alone by whose voices he was chosen; or as a delegate for the whole province, and a superintendant of the general welfare? Why then should not the same delegated powers virtually extend to the continent, which is a part of the British empire, as well as to those in Britain, who have no vote? If political liberty be only commensurate with actual representation, then is liberty a mere *ens rationis*; as elections for representatives by poll, if practicable, would not be eligible; or, if eligible, would not be practicable.

Had the authority of American assemblies and councils been self-derived and independent; had America and this island been different states, all our present claims must have been usurpations; and all the expostulations of our author just and reasonable. But, founded as they are upon false suppositions, they stand refuted by themselves, and prove nothing but the malignity or folly of the inventors. It is too true, that we may perceive 'a growing intercourse between the court and parliament.' But when has it awed ministers of state with propriety? At that period, when its power and insolence were in their zenith. What was the result? We exchanged an ambitious monarch for a tyrannical protector; and the Ottoman court was less despotic than the British republic. I do not mention this as a deduction from the merit and importance of parliaments. On the contrary, I think liberty essential to government, and parliaments essential to liberty; but, like every other human institution, they are imperfect, and susceptible of degeneracy. In the times of Henry VIII. and his daughter Elisabeth, when the sound of liberty was as high in England as at present, What could be more obsequious to royal pleasure, than the parliament? Every compliance, which is now obtained by corruption, was then extorted by terror. But, whatever be the present intercourse between the court and parliament, if each of them has acted within the limits of its proper department; if the King has not limited parliamentary prerogatives, nor the parliament betrayed the interests of its constituents, it ill becomes a subject, either to resist or complain. The colonists have no longer left their aims to supposition and conjecture. One of the delegates, in their grand provincial congress, has published their intention, and given reasons for it. If we consider the terms stipulated by their public declarations, to what less than absolute independence can they amount? Though it should be proved, that we, or some other state equally powerful, must be essential to the subsistence of the colonies, Who informed the Doctor that they would return to us? And, though it should be possible, as I hope it is, for us to subsist without them, can it be concluded from thence, that our government should relinquish its just rights, or humbly solicit compliances, which it is intitled to demand?—A gentleman of a thousand *per annum*; may perhaps subsist upon five hundred; is he, for that reason, morally obliged to resign half his fortune, or to cringe and flatter those who would take it from him, for the privilege of retaining it?

It has been repeatedly acknowledged, that, whenever the period shall arrive, in which the colonies are found capable of supplying their wants, of protecting their state, and of regulating their affairs, this must be the crisis of their political maturity; this the time of their emancipation from parental controul. But it will not be pretended that this is their situation at present. Where is the government which can be rendered accountable for the cruelty and avarice of individuals,

individuals, when too distant to be reached by its influence? The miserable inhabitants of the East-Indies have too much reason to hold particular Englishmen in execration. But such a curse can never be justly transferred to any government, for crimes which it neither authorised nor understood.

In the 37th page of the pamphlet before us, the Doctor seems impressed with strong anticipations of some great end, some distinguished epoch in providence, to result from the present agitations in Britain and America. This millenary scheme, which, in that passage, he obscurely hints, is now more extensively displayed. Its forests, its mountains, and its rivers, are now beheld in perspective; and nothing remains but the extermination of Great Britain, and a total revolution in the policy of Europe, to evolve the whole majestic scheme in all its lustre and beauty. I am so much enamoured of this excellent plan, that it is my ardent wish, and real intention, to importune some famous sage, profoundly skilled in Rosicrucian lore, or some other way conversant with superior intelligencies, that he may call to solemn council the genii of nations, and procure some high office for one of my posterity in this new republic. But perhaps I may be mistaken; possibly there may then be no necessity for government. Every thing may be in a state of nature. The laws of order, benevolence, and rectitude, may universally prevail by their native energy; and no statutes, no injunctions be known, but such as are pronounced from the Temple of Wisdom, by the mouth of Liberty. Animated with this glorious prospect, let us pass to the Doctor's conclusion.

CONCLUSION. The ends of our author's benevolence are not sufficiently answered, by exposing the injustice, absurdity, dishonour, and danger of our war with America, unless he proposes some plan of reconciliation. But, diffident of his own talents, he chuses to transcribe those terms of accommodation from the speech of a distinguished peer. These terms might indeed constitute the articles of alliance between different and independent states; but can never be stipulated by capitulation from any community of the same state, nor granted by treaty to that community. What prerogative or advantage could America lose by the establishment of these articles, for which she might not contend as an independent state? What could Britain gain, to which it is not already intitled by an inherent right? In a word, supposing the terms suggested by his Lordship were ratified, both in Britain and America, In what circumstances would they differ from independent kingdoms, allied by treaty, and regulating their political or commercial intercourse in such a manner, as that each might derive the greatest advantage from both? But, however liberal the concessions made by Great Britain to America, in this conciliatory plan, nothing is more certain, than that all overtures of this kind would have been refused. America is
wise

wife enough to see, that the independence of a state must be intrinsic, and can never derive permanence or security from political negotiations alone, by whatever sanctions they may be guaranteed. Every independence, therefore, which the colonies cannot acquire and maintain by their own internal force, is evanescent and fluctuating, as the breath which composed the words that expressed them. If, therefore, independence was their object, it could only be acquired and maintained by successful resistance.

I deplore, with Dr. Price, the growing evils of national debt and corruption. I deplore the rapid progress, and universal dominion of vice and impiety. But I cannot perceive that, even on account of these calamities, it became necessary for government to decline the war with America, by a dishonourable retreat. A retreat which must have given the signal of attack to all the other powers of Europe, to whose conspiring efforts we might have fallen an unresisting prey.

Our author, in his appendix, states the national expenditure and income for eleven years, from 1764 to 1774. But, as I have reason to believe the facts upon which these calculations proceed inaccurately represented, the calculations themselves are ineffectual, and can by no means merit our confidence. Those who are engaged in trade, or in the finances, may, if they have leisure and inclination, investigate the reality of the Doctor's premises, and the accuracy of his deductions. But, as they seem to me remotely, if at all connected with the present controversy, I am neither engaged by duty nor inclination to explore them.

Thus have I given you my first thoughts upon the subject, in the first expressions which occurred. It will surprise you to find them so much protracted, both beyond your expectation and my own. Notwithstanding this, I cannot omit the present opportunity of observing, that few conjunctures could have been more favourable to a country long accumulated with insults, or abandoned to negligence and scorn, than that which is now presented. In former times, when the native ferocity of England was still more inflated by domestic security and foreign conquest, we had no reason to be surprised, that the efforts of Scotland to be reinstated in a capacity for self-defence were ineffectual, though she had regularly discharged the taxes imposed, and contributed to the revenue her full proportion, as stipulated by the articles of union.

But, in the present situation of affairs, when England is embroiled with her colonies, and far from being secure that the other states of Europe will observe a sacred neutrality, that overtures for increasing the means of internal security have been neglected and despised, every man of sense and honour must perceive with equal astonishment and indignation.

Had our ancestors been able to transfer their gallant souls, by the same inheritance with their names and estates, could we have suffered

ferred such a repulse with patience? But our spirits are become tame and tractible; we are sufficiently domesticated, and moulded to the inclinations of our masters. If they vouchsafe to allow us the perquisites of a luxurious table, we can not only endure to be kicked and buffeted, but are even sufficiently obsequious to kiss the foot that spurns us. Heaven and earth! Are we men? Are we Scotsmen? Are we the descendants of those heroes whom neither Rome nor England could subdue; and can the lust of wealth and pleasure subjugate our spirits to this degree of meanness?—We have been no less publicly than falsely branded with a predilection for despotism; Would to the Almighty, this were the only chain that held us! Soon would that insolence, which could thus upbraid us in a public and judicial capacity, retract an assertion so dishonourable, and, by the baseness of its fear, discover the enormity of its guilt. *But I am by no means for dissolving solemn treaties with temerity.*

Let us still continue the inseparable friends and allies of England; but let us at the same time take care to preserve the importance and dignity of friends and allies. If we act with that degree of spirit and magnanimity which becomes our ancestors and ourselves, the haughty and imperious power which now insults us will tremble to its basis at the prospect of an impending rupture. But the subject is too interesting, *and I grow warm.* Forgive this excursion, and believe me, with all the tenderness which that endearing name can imply,

Your most faithful

And affectionate friend,

VALERIUS CORVINUS.

POSTSCRIPT. Since the above remarks were written, I have seen An Inquiry whether the Guilt of the present Civil War in America ought to be imputed to Great Britain or America, by John Roebuck, M. D. F. R. S. It is a masterly, elegant, and irresistible performance; and, as most of the positions which I have endeavoured to establish, are there illustrated and confirmed by unquestionable facts, I must recommend this short, but valuable tract, to your most serious and attentive consideration.







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